DOCUMENT RESUME

ED 340 694 SP 033 508

TITLE The Pupil Nondiscrimination Guidelines for Athletics. Implementing Section 118.13 of the Wisconsin Statutes and PI 9 of the Wisconsin Administrative Code. Revised.

INSTITUTION Wisconsin Interscholastic Athletic Association.; Wisconsin State Dept. of Public Instruction, Madison.

PUB DATE Jun 91

NOTE 74p.

AVAILABLE FROM Bureau for Educational Equity Programs, Equity and Multicultural Education Section, Wisconsin Department of Public Instruction, P.O. Box 7841, Madison, WI 53707-7841 (Bulletin No. 91548).

PUB TYPE Guides - Non-Classroom Use (055) -- Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC03 Plus Postage.

DESCRIPTORS Civil Rights Legislation; Elementary Secondary Education; *Equal Education; Equal Facilities; *Extramural Athletics; Females; Guidelines; Males; *Nondiscriminatory Education; Sex Discrimination; *Sex Fairness; *State Legislation; *Student Rights

IDENTIFIERS Discrimination Complaints; Grove City College v Bell; *Wisconsin

ABSTRACT

This guide is designed to assist schools in fully implementing Wisconsin's pupil nondiscrimination guidelines which provide equal educational opportunity for all of its students. The guidelines focus on discrimination problems in interscholastic athletics and are based on sex equity. Following a foreword and acknowledgements, the document is organized into six sections: an overview; a philosophy; the Administrative Rule; additional definitions of terms; attaining the goals of equity in athletics; and questions and answers. Fifteen appendixes are included: (1) Providing Cheerleaders for Both Boys' and Girls' Sports; (2) School Responsibility if a Complaint Is Filed under the Pupil Nondiscrimination Law; (3) Sample Discrimination Complaint Procedure; (4) Sample Discrimination Complaint Form; (5) WIAA Comparable Sports; (6) Student Interest Surveys; (7) Sample Student Athletic Interest Form; (8) WIAA Constitution; (9) WIAA Bylaws; (10) WIAA Rules of Eligibility; (11) WIAA Due Process Procedure; (12) 1989-90 Audiovisual Aids Request Form from WIAA; (13) Audiovisual Materials Available from DPI; (14) Resources; and (15) Section 118.13 Wisconsin Statutes. (LL)

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The Pupil Nondiscrimination Guidelines for Athletics

IMPLEMENTING SECTION 118.13 OF THE WISCONSIN STATUTES AND PI 9 OF THE WISCONSIN ADMINISTRATIVE CODE

A joint publication of
Wisconsin Department of Public Instruction / Herbert J. Grover, State Superintendent
Wisconsin Interscholastic Athletic Association / Douglas Chickering, Executive Director

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Pupil Nondiscrimination Guidelines for Athletics

Wisconsin Department of Public Instruction
Herbert J. Grover, State Superintendent

Wisconsin Interscholastic Athletic Association
Douglas E. Chickering, Executive Director

Implementing
Section 118.13 of the Wisconsin Statutes
and PI 9 of the Wisconsin Administrative Code

This publication is available from:
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September 1987
Revised May 1989
Revised June 1991

Bulletin No. 91548

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Foreword

We in education have come to realize the important role of extracurricular activities in supplementing classroom offerings. Athletics offer an arena for students to gain a sense of accomplishment and a feel for competition. The gates of that arena should be open to all students, and the variety of activities available ought to make it possible for all interested students to participate. This is consistent with Wisconsin's long respected tradition of providing equal educational opportunity for all of its students.

This guide is designed to help schools fully implement Wisconsin's pupil nondiscrimination guidelines (section 118.13, Wis. Stats. and the administrative rules contained in PI 9). It is a supplement to the *Pupil Nondiscrimination Guidelines* (Bulletin No. 7303, available from the DPI's Bureau for Equal Educational Opportunity).

The guide is offered to schools as a joint publication of the Department of Public Instruction and the Wisconsin Interscholastic Athletic Association. We are grateful for the assistance received from the Association of Wisconsin School Administrators, the Wisconsin Association of Cheer/Pom Coaches, the Wisconsin Athletic Directors Association, and the Wisconsin School Music Association in the 1991 edition. We hope you find the information contained herein valuable.

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Acknowledgments

These guidelines explaining state pupil nondiscrimination requirements in interscholastic athletics are the result of extensive collaboration between the Wisconsin Department of Public Instruction and the Wisconsin Interscholastic Athletic Association. It is the intent of both of these organizations that the guidelines help Wisconsin's public schools provide equitable and enjoyable opportunities in sport for our children.

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Special thanks go to Peter Grant, assistant legal counsel; Greg Doyle and Virginia Mayo Black, text editors; Victoria Rettenmund, graphic artist, Kathy Addie, management information technician, and Lisa Isgitt and Jessica Early, proofreaders.

In 1990, we initiated two invitational discussions entitled *Equity in Band/Cheer/Pom: Finding Solutions* in order to begin resolving the logistical difficulties of providing equitable pep band, cheerleader, and pompon support for comparable girls and boys sports. We greatly appreciate the assistance provided by representatives of the Association of Wisconsin School Administrators, Wisconsin Association of Cheer/Pom Coaches, the Wisconsin Athletic Directors Association, and the Wisconsin School Music Association (especially the band directors). Because of the lack of guiding case law and the great difference in size of Wisconsin's schools, finding a uniform solution was impossible. We hope that the changes in this edition will provide some assistance to schools still seeking solutions to this requirement.

Overview

Discrimination in interscholastic athletics in Wisconsin has been an item of increasing concern since the 1970-71 school year, when swimming, gymnastics, and track for girls were given state tournament status by the Wisconsin Interscholastic Athletic Association (WIAA). Additional girls' sports were added to the WIAA list each year until the number totaled ten in 1982-83. At the present time (1991), the state interscholastic program includes ten sports for girls and 11 sports for boys.

Coincidental with the growth of girls' sports in Wisconsin was the passage of Title IX of the Education Amendments of 1972, a federal law prohibiting discrimination based on sex in educational programs receiving federal funds. Title IX gave needed impetus for the development of girls' interscholastic sports.

Although discrimination exists in many forms (based on such factors as race, creed, age, marital status, and others), most discrimination problems in interscholastic athletics have been based on sex.

In the years since 1972, nearly all Wisconsin school districts have experienced some problems in providing equity between the boys' established programs and the girls' growing programs. Problems frequently encountered included developing equitable budgets, sharing facilities, providing facilities, transporting athletes, and scheduling games. Other problems arose in providing publicity, assigning bands and cheerleaders to games, and maintaining consistent athletic codes.

Most of the problems at the school district level have been settled by enlightened leadership and compromise, but it is not unusual for controversies to result in litigation, frequently through the federal Office for Civil Rights.

At the state level, it has been necessary for the WIAA to change some longstanding rules which prohibited all competition involving boys and girls. In 1978, for example, Federal Judge Myron Gordon for the U.S. District Court–Eastern District of Wisconsin, declared that qualified girls must be allowed to participate on boys' teams if there were no corresponding teams for girls. This decision included both contact and noncontact sports and paralleled similar decisions in other parts of the country.

A number of sex-related athletic problems have yet to be resolved. Equal offering on number of WIAA sports to girls and boys during fall, winter, and spring seasons, reaching agreement at local and conference levels regarding the scheduling of activities on given days of the week, and providing equitable media coverage for boys' and girls' activities are problems that remain to be solved.

Although in 1984, the U.S. Supreme Court (in *Grove City College v. Bell*, 465 U.S. 555, 1984) cast serious doubts about the applicability of Title IX to programs such as athletics that receive no direct federal funds, the Civil Rights Restoration Act of 1988 restored and clarified the original coverage of Title IX. In 1985, the Wisconsin Legislature repealed and recreated section 118.13, Wis. Stats., which prohibits discrimination in public schools on the basis of sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability. Section 118.13(2), Wis. Stats., requires school boards to develop policies and procedures, including a complaint procedure, to implement the statute (see *Pupil Nondiscrimination Guidelines*, DPI Bulletin No. 7302). Section 118.13, Wis. Stats., also requires the state superintendent to decide appeals of district decisions and promulgate rules. It authorizes the state superin-

tendent to review school district compliance with the statute and provide school districts with technical assistance.

The Department of Public Instruction and the WIAA have prepared this publication to provide guidelines for athletic decision-makers at the local and conference levels. The guidelines are based upon the spirit and regulations of Title IX, appropriate case law, WIAA rules, section 118.13, Wis. Stats., and PI 9, Wis. Admin. Code, in addition to valuable assistance from professional organizations.

Although most attention will focus on sex equity, reference will also be made to those other areas of possible discrimination which are prohibited under section 118.13, Wis. Stats. It is intended that these guidelines will help ensure the following:

- No student's athletic participation is to be determined by any of the discriminatory factors listed in section 118.13, Wis. Stats.
- Since separate interscholastic athletic programs are conducted for boys and girls, both programs are to be provided with comparable facilities, equipment, coaching, game and practice schedules, training rules, awards, and publicity.
- The levels of competition provided for boys and girls are to be commensurate with student interests and abilities.
- Activities peripheral to the athletic program, such as pompon squads, cheerleaders, and pep bands, are to be assigned to specific games on the basis of a school plan that does not include sex as a factor.
- Administrators, coaches, parents, and athletes must understand both the legal and philosophical implications of discrimination in athletics

Philosophy

The intent of most civil rights legislation is to ensure equitable treatment for minority groups and individuals who have been subject to discrimination. In Wisconsin, section 118.13, Wis. Stats., was enacted by the Legislature in an attempt to prevent discrimination in public schools on the basis of sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability.

Interscholastic athletic participation,* an important component of education for thousands of boys and girls in Wisconsin, can be significantly enhanced by this statute. However, ensuring equity in athletics, particularly sex equity, is frequently hindered by stereotypic beliefs about what constitutes safe, appropriate, and acceptable athletic participation for boys and girls. The previously held suspicion that only males should be involved in vigorous and often physical competitive sports has lessened, but not to the extent that girls' athletics have achieved a desired level of equity.

The spirit and intent of the statute, as it applies to interscholastic athletics, is to provide all boys and girls with the opportunity to participate in equitable athletic programs and activities. Nothing in section 118.13, Wis. Stats., requires identical programs for males and females in athletics.

Both DPI and the WIAA are committed to the concept of separate athletic programs for boys and girls. On the surface, this seems to contradict civil rights decisions in which courts have consistently held that "separate but equal" is in fact unequal. In athletics, however, size, strength, and weight are often the qualifying factors for successful participation, and these factors favor the average boy over the average girl. Consequently, if all sports activities were open equally to both boys and girls, the number of female athletes would be severely curtailed.

The best interests of both boys and girls in athletics seem to be served at this time by separate, comprehensive, comparable programs that are carefully organized and monitored to accommodate the interests and activities of both sexes. Comparable programs, according to DPI/WIAA philosophy, are those offering boys and girls the same or similar activities, with opportunities and resources of equal quality in the areas of coaching, provision of facilities and equipment, assignment of practice and game times, awards, publicity, and transportation. Cheerleaders, pom-pon squads, and pep bands have individual identities and add to the excitement and attractiveness of high school sports. Appearances at respective boys and girls contests must satisfy the same equity comparability standards as these just mentioned. The availability of concessions stands, booster activities, etc., cannot be ignored, either.

In the matter of boys competing on girls' teams and girls competing on boys' teams, Title IX requirements and subsequent case law generally allow students to cross over only if there is no team for one sex and athletic opportunities for that sex have been limited in the past. In Wisconsin and many other states, this approach allows girls on boys' teams under certain conditions, but it does not allow boys on girls' teams. DPI/WIAA philosophy tolerates the apparent unfairness to boys in this situation only because the alternative would be

* As distinct from participation in physical education classes.

more discriminatory. Both agencies monitor related state and federal case law; court findings will influence interpretations and determinations.

The philosophy of equity is most successfully reflected in athletic programs when plans and policies are developed by the people involved. Typically, this includes school administrators, athletic directors, coaches, athletes, parents, and representatives of groups that perform at athletic contests. It is especially important that adequate representation of both females and males in planning equitable athletic programs in Wisconsin be ensured.

Although most athletic equity problems should be prevented or solved at the district level, it should be emphasized that equity is guaranteed at several levels. Among the sources to be considered are the Fourteenth Amendment to the U.S. Constitution (equal protection), Title IX of the Education Amendments of 1972, the Wisconsin Constitution, section 118.13, Wis. Stats., and the bylaws and rules of eligibility of the WIAA.

DPI and the WIAA are confident in the ability of educational decision-makers to guarantee equitable athletic opportunities for all boys and girls in Wisconsin. This is consistent with the tradition of educational excellence in Wisconsin that no students are denied participation in activities for discriminatory reasons. Member schools have successfully identified ways to provide greater levels of gender access to interscholastic athletic programs. A positive approach, as opposed to attempts to successfully avoid compliance, must continue for Wisconsin's sports offerings to withstand the scrutiny of critical observers.

PI 9.01 Discrimination Prohibited. This chapter establishes procedures for compliance with s. 118.13, Stats., which provides that no person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational, or other program or activity because of the person's sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional, or learning disability. This chapter does not intend to prohibit the provision of special programs or services based on objective standards of individual need or performance to meet the needs of pupils, including gifted and talented, special education, school age parents, bilingual bicultural, at risk and other special programs; or programs designed to overcome the effects of past discrimination.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86.

PI 9.02 Definitions. In this chapter:

(1) "Bias" means an inclination for or against a person or group of persons based, in whole or in part, on sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability, that inhibits impartial or objective judgment affecting pupils.

(2) "Board" means the school board in charge of the public schools of a district.

(3) "Curricular program or activity" means a particular course or courses of study within the scope of the curriculum.

(4) "Department" means the Wisconsin department of public instruction.

(5) "Discrimination" means any action, policy, or practice, including bias, stereotyping, and pupil harassment, which is detrimental to a person or group of persons and differentiates or distinguishes among persons, or which limits or denies a person or group of persons opportunities, privileges, roles, or rewards based, in whole or in part, on sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional, or learning disability, or which perpetuates the effects of past discrimination.

(6) "Extracurricular program or activity" means an activity not falling within the scope of the curriculum and includes all organized pupils' activities which are approved or sponsored by the school board whether on or off school property.

(7) "National origin" includes pupils whose dominant language is other than English.

(8) "Pregnancy" includes any pregnancy-related condition.

(9) "Pupil harassment" means behavior toward pupils based, in whole or in part, on sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability which substantially interferes with a pupil's school performance or creates an intimidating, hostile, or offensive school environment

(10) "Pupil services" means a program of pupil support services and activities including counseling, health and nursing, psychological, and social work services.

(11) "Recreational program or activity" means any leisure time activity for school age children approved or sponsored by the school board and includes city recreational programs which are administered by a school board.

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(12) "Sexual orientation" has the meaning defined in s. 111.32(13m), Stats.

(13) "State superintendent" means the superintendent of public instruction for the state of Wisconsin.

(14) "Stereotyping" means attributing behaviors, abilities, interests, values, and roles to a person or group of persons on the basis, in whole or in part, of their sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional, or learning disability.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86.

PI 9.03 Policies. (1) Each board shall develop policies prohibiting discrimination against pupils. The policies shall include the following areas:

(a) Admission to any school, class, program, or activity. This does not prohibit placing a pupil in a school, class, program, or activity based on objective standards of individual performance or need.

(b) Standards and rules of behavior, including pupil harassment.

(c) Disciplinary actions, including suspensions and expulsions.

(d) Acceptance and administration of gifts, bequests, scholarships and other aids, benefits, or services to pupils from private agencies, organizations, or persons.

(e) An instructional and library media materials selection policy consistent with s. 121.02(1)(h), Stats., and s. PI 8.01(2)(h).

(f) Methods, practices, and materials used for testing, evaluating, and counseling pupils. This does not prohibit the use of special testing or counseling materials or techniques to meet the individual needs of pupils.

(g) Facilities. This does not prohibit separate locker rooms, showers, and toilets for males and females, but the separate facilities must be comparable.

(h) Opportunity for participation in athletic programs or activities. This does not prohibit separate programs in interscholastic athletics for males and females, but the programs shall be comparable in type, scope, and support from the school district.

(i) School sponsored food service programs under 42 USC ss. 1751 et. seq.

(2) Existing board policies which meet the requirements of this chapter, including those adopted by the board in compliance with federal statutes such as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, may be incorporated into the policies required under this chapter. These policies shall be included in those presented for public hearing and commentary under sub.(3).

(3) The policies shall be adopted by the board following a public hearing or an opportunity for public commentary at a board meeting.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86.

PI 9.04 Compliant Procedure. Each board shall:

(1) Designate an employe of the school district to receive complaints regarding discrimination under s. 118.13, Stats., and this chapter.

(2) Establish a procedure for receiving and resolving complaints from residents of the school district or aggrieved persons under s. 118.13, Stats., and this chapter, including a provision for written acknowledgment within 45 days of receipt of a written complaint and a determination of the complaint within 90 days of receipt of the written complaint unless the parties agree to an extension of time; except that:

(a) Appeals under 20 USC s. 1415 and ch. 115, Stats., relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education of a child with an exceptional educational need shall be resolved through the procedures authorized by ch. 115, subch. V, Stats.

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(b) Complaints under 20 USC s. 1231e-3 and 34 CFR ss. 76.780-76.782, commonly referred to as EDGAR complaints, that the state or a subgrantee is violating a federal statute or regulation that applies to a program shall be referred directly to the state superintendent.

(3) Notify a complainant of the right to appeal a negative determination by the school board to the state superintendent and of the procedures for making the appeal.

History: Cr. Register, October, 1986, No. 370. eff. 11-1-86.

Note: Included with the department's order promulgating ch. PI 9 was the following applicability statement:

The policies required under ss. PI 9.03 and 9.04 shall be developed before August 1, 1987. Complaints of discrimination received by the board prior to August, 11987, may be handled by any existing complaint procedures provided that the time requirements of s. PI 9.04 are met. In the absence of any board compliant procedure or if the time requirements are not meet, the complainant may appeal directly the the state superintendent. Negative decision of the board may be appealed to the state superintendent under s. PI 9.08(1)(a).

PI 9.05 Public Notice. Each board shall:

(1) Annually provide public notice of board policies on pupil nondiscrimination including the name and address of the designated employe under s. PI 9.04(1) and the complaint procedure under s. PI 9.04(2). The notice shall be a class 1 legal notice under ch. 985, Stats.

(2) Include a pupil nondiscrimination statement on pupil and staff handbooks, course selection handbooks, and other published materials distributed to the public describing school activities and opportunities.

(3) Include the complaint procedure in pupil and staff handbooks.

History: Cr. Register, October, 1986, No. 370. eff. 11-1-86.

PI 9.06 Evaluation. (1) In order to provide the information necessary for the state superintendent to report on the compliance with s. 118.13, Stats., as required under s. 118.13(3)(a)3, Stats., each board shall evaluate the status of nondiscrimination and equality of educational opportunity in the school district at least once every five years on a schedule established by the state superintendent. The evaluation shall include the following:

(a) School board policies and administrative procedures.

(b) Enrollment trends in classes and programs.

(c) Methods, practices, curriculum, and materials used in instruction, counseling, and pupil assessment and testing.

(d) Trends and patterns of disciplinary actions, including suspensions, expulsions, and handling of pupil harassment.

(e) Participation trends and patterns and school district support of athletic, extracurricular, and recreational activities.

(f) Trends and patterns in awarding scholarships and other forms of recognition and achievement provided or administered by the school district.

(g) School district efforts to achieve equality of educational opportunity and nondiscrimination.

(2) The board shall provide an opportunity for participation in the evaluation by pupils, teachers, administrators, parents, and residents of the school district.

(3) The board shall prepare a written report of the evaluation which shall be available for examination by residents of the school district.

History: Cr. Register, October, 1986, No. 370. eff. 11-1-86.

PI 9.07 Reporting. Each board shall submit the following to the department:

(1) Copies of policies and procedures under s. 118.13(2)(a), Stats., and ss. PI 9.03 and 9.04, and notices under s. PI 9.05, upon request of the state superintendent.

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(2) An annual compliance report, including the name of the designated employe under s. PI 9.04(1); and the number of complaints received during the year, a description of each complaint and its status.

Note: Included with the department's order promulgating ch. PI 9 was the following applicability statement: By August 1, 1987, boards shall submit the first annual report to the department as required under sub. (2) and provide public notice as required under s. PI 9.05.

(3) A copy of the written report of the evaluation conducted under s. PI 9.06.

Note: Form PI 1197, *Compliance Repot—Pupil Nondiscrimination*, may be obtained from Department of Public Instruction, Division for Handicapped Children and Pupil Services, P.O. Box 7841, Madison, WI 53707.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86.

PI 9.08 State Superintendent. (1) The state superintendent shall:

(a) Decide appeals of board decisions made under s. 118.13(2)(a), Stats., and this chapter as follows:

1. The complainant may appeal a negative determination of the board to the state superintendent within 30 days of the board's decision.

2. The complainant may appeal directly to the state superintendent if the board has not complied with the provisions of s. PI 9.04(2).

3. The state superintendent shall utilize the procedures under ch. PI 1 to resolve appeals under this subsection.

4. If the state superintendent finds that the board violated s. 118.13, Stats., or this chapter, the state superintendent shall issue an order to comply which includes a requirement that the board submit a corrective action plan, including a schedule, within 30 days of the board's receipt of the order.

5. The state superintendent shall refer a complaint to the board for resolution if it has not been filed with the board or if the complaint is currently under consideration by the board under the complaint procedure required by s. PI 9.04.

(b) Include in the department's biennial report under s. 15.04(1)(d), Stats., information on the status of school district compliance with s. 118.13, Stats., and school district progress toward providing reasonable equality of educational opportunity and nondiscrimination for all pupils in Wisconsin.

(2) The state superintendent may:

(a) Provide technical assistance to school districts.

(b) Review the policies established by the board under ss. PI 9.03 and 9.04.

(c) Review school district programs, activities, and services to determine whether boards are complying with this chapter and with s. 118.13, Stats. The department may review school districts on a schedule which corresponds with the audit of compliance with school district standards under s. 121.02(2), Stats. The scheduling of reviews does not prohibit the state superintendent from conducting an inquiry into compliance with this chapter upon receipt of a complaint.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86.

Section 2. Initial Applicability.

(1) By August 1, 1987, boards shall submit the first annual report to the department as required under s. PI 9.07(2) and provide public notice as required under s. PI 9.05.

(2) The policies required under ss. PI 9.03 and 9.04 shall be developed before August 1, 1987. Complaints of discrimination received by the board prior to August 1, 1987, may be handled by any existing complaint procedures provided that the time requirements of s. PI 9.04 are met. In the absence of any board complaint procedure or if the time requirements are not met, the complainant may appeal directly to the state superintendent.

(3) Negative decisions of the board under sub. (2) may be appealed to the state superintendent under s. PI 9.08(1)(a)

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Additional Definition of Terms

Comparable Scope. Number of teams in specific sports length of season, number of contests, number of coaches, levels of competition, and number of participants.

Comparable Support. Resources, equipment, supplies, cheerleaders, pompon squads, pep meetings, pep bands, mascots, booster clubs, uniforms and warm-ups, travel, food allowances, school-originated publicity, sport-specific clubs, scheduling of games, scheduling of practice times, medical and training facilities and services.

Comparable Type. Whether the activity is team or individually oriented, offered in the same season, and uses similar skills.

Interscholastic Athletics. Voluntary cocurricular activities which allow boys and girls to compete with individuals or teams from other schools in athletic contests.

Intramurals. Voluntary cocurricular activities which allows girls and boys to compete with individuals or teams within their own school in athletic contests.

Physical Education. A curriculum subject using physical activity as the primary means of teaching developmental skills, building physical fitness, informing students about the effects of exercise on the human body, and providing a repertoire of sports skills for lifetime use and for building desirable attitudes.

Note: The terms "cocurricular" and "extracurricular" are used interchangeably in this publication.

Meeting the Goals of Equity in Athletics

Goals	Evidence of Attainment
No student's athletic participation will be determined by any of the discriminatory factors named in section 118.13, Wis. Stats., and PI 9, Wis. Admin. Code.	• Adoption of board policy. • Announcement of athletic offerings in a season including both girls' and boys' sports.
Separate interscholastic athletic programs for boys and girls will be provided with comparable facilities, equipment, coaching, game and practice schedules, training rules, awards, and publicity.	• Written facilities policy. • Equipment inventory lists. • Coaching assignments and pay schedules. • Season game schedules. • Written practice schedules. • Athletic guidelines or codes. • District news releases. • Student newspapers. • Reports of Booster Club activities. • Coaches' job descriptions. • Interviews with athletes and coaches.
Levels of competition provided for boys and girls will be commensurate with the interests and abilities of the students.	• Results of student interest surveys taken every two to three years. • Announcements of athletic offerings in all schools. • Annually updated charts showing athletic participation by grade (for previous five years).
Activities peripheral to the athletic program, such as pompon squads, cheerleaders, and pep bands will be assigned to specific games on the basis of a local school plan which does not include sex of the teams as a factor.	• Local school plan for assignment of pompon squads, cheerleaders, pep bands, and other support activities. • Announcements of cheerleader and pompon squad tryouts. • Schedule outlining assignments of support activities.

Administrators, coaches, parents, and athletes will understand both the legal and philosophical implications of discrimination in athletics.	• Written record of person responsible for athletic department compliance with equity requirements. • Announcements, agendas, evaluations of staff development sessions addressing equity in athletics for administrators and coaches (offered locally or through outside agencies such as DPI or WIAA). • Records of speaking engagements with parents and community groups addressing athletic equity. • Curriculum units used in physical education classes, social studies, or other appropriate courses addressing equity; summaries of evaluation results testing the units. • Copies of local policies on equity in athletics, as required in section 118.13, Wis. Stats., and PI 9, Wis. Admin. Code.

Questions and Answers

1. **A school is sponsoring a track and field team for boys and for girls. One girl, however, wants to compete in the pole vault which is a boys-only event. Must the school allow this?**

   Yes. However, in endorsing this provision, the WIAA Board of Control recognizes a need to establish the following contingent conditions:
   - Sixteen events are included in the respective boys' and girls' track and field programs. Any girl participating in the pole vault will be restricted to regular season meet and event maximums, as well as tournament event maximums, as are other athletes and will participate in the girls' program for all events except the pole vault.
   - Boys' and girls' meet schedules have been established allowing multiple event participation. With this mixed gender dimension there is no requirement that generally acceptable procedures be adjusted to the advantage or disadvantage of any athletes.
   - Nothing in this action permits schools to expand the girls'-team-to-boys'-team crossover privilege into other sports if dual programs are sponsored. The option is restricted to track and field because a unique event (pole vault) is not provided within the girls' program.

2. **A school sponsors both a boys' and a girls' tennis team. One very talented girl wants to compete on the boys' team instead of the girls' team. She feels the boys' team is more competitive, and she wants that experience to assist her in obtaining a major college tennis scholarship. Must the school allow this?**

   If the girls' tennis team has the identical opportunities (length of season, number of contests, scheduling similarities, tournament opportunities), she must be denied membership on the boys' team under WIAA rules.

3. **Can a female student go out for wrestling, hockey, or football and compete against other schools?**

   Case law has generally held that if a comparable activity is not sponsored for girls, an opportunity to make the boys' team cannot be denied, either in regular season or in tournament competition.

4. **Wrestling rules require a stripped shoulder-to-shoulder weigh-in. If girls participate, what provision must be made?**

   The proper procedures to use for weighing-in female wrestlers is to have a female weigh the wrestler in private. The female need not be a registered official but should be someone on the faculty of one of the participating schools. The ultimate responsibility rests with the school for which the student is wrestling. If, however, the school with the female wrestler is traveling and has assurance from the host school that a female for weighing-in will be provided, it may be handled in that fashion. If the host school cannot or does not wish to provide someone to monitor the weigh-in, it is

the responsibility of the girls' school to bring a female with them to handle this responsibility.

5. **If a girl participates in football, wrestling, or hockey, are any rules altered?**

   With the exception of the weigh-in provisions for wrestling and some handicapping conditions in certain sports, there are to be no alterations in wrestling, hockey, or football rules to accommodate any participant.

6. **What happens if an opposing school refuses to provide a wrestling opponent or if a scheduled opponent refuses to wrestle a girl?**

   If a school refuses to provide a wrestler, or if the wrestler refuses to compete against a girl, the school forfeits that match and the girl is declared the winner.

7. **A girl comes out for wrestling. The school doesn't want to have any of the boys wrestle her in practice. Is it reasonable to have our coach work out against the girl?**

   The coach must provide the same practice opportunities for the girls as for other team members. All athletes must participate in practice activities as directed.

8. **The school sponsors a boys' cross country team but has insufficient interest to provide a girls' team. But one girl has been running with the boys' team. Where will she participate in a tournament?**

   She will participate in the boys' series. Case law has generally held that if a comparable activity is not sponsored for girls, participation is the boys' activity cannot be denied, either in regular season or in tournament competition.

9. **A school does not have a tennis, golf, swimming, or soccer team for girls. Must an interested girl be permitted to participate on the boys' teams?**

   The only time participation on a boys' team can be denied to a girl is when a comparable girls' team is sponsored. *Participation includes trying-out and competing.*

10. **Does a girl have any additional physical examination requirements or parental waiver requirements if she desires to participate in wrestling, hockey, or football?**

    The requirements for participation are the same for all eligible students. An additional medical documentation form or parental waiver cannot be required for a girl prior to her participation.

11. **Can a girl participate in summer baseball after taking part in a spring softball program?**

    The answer to this question is the same for a boy or a girl who participated in the spring baseball program and then transferred to another school offering a summer program. Only one season per year is allowed.

12. Why are softball and baseball no longer considered comparable sports for girls and boys, respectively.

The Supreme Court of Appeals of West Virginia recently ruled in the plaintiff's favor on this issue. The court noted from e record in this case that the "games of baseball and softball are not substantially equivalent" and distinguished the "superficial similarity" between the games by citing differences, including equipment, skill levels, and dimensions of the playing surface. The court concluded with the assertion that it was dealing with the case in which an opportunity is given to try out for the team.

13. Can a pregnant girl be denied participation in athletics?

State statutes prohibit discrimination based on pregnancy. However, an athletic code may include pregnancy among other health-related factors that might affect eligibility for both boys and girls.

The same criteria should be used to determine whether a pregnant girl should compete as are used to determine whether a boy with appendicitis should compete. A girl should be treated the same as a boy who has an injury or other physical condition which might affect his eligibility to participate. If no policy exists for boys' participation, then no policy should exist for girls.

14. Boys are not afforded the opportunity to play interscholastic volleyball or to participate in gymnastics within the sanctioned sports programs of the WIAA. Must a boy be allowed to participate on a girls' team?

The courts have generally held that because of past inequities in girls' sports programs it would jeopardize participation opportunities for girls to permit boys to compete on girls' teams.

15. A school sponsors a varsity, junior varsity, and freshman team in boys' basketball but only a varsity and junior varsity program in girls' basketball. Is this acceptable?

The criteria for offering interscholastic competition within a sport must be the same for boys and girls. It should be locally developed and include, among other factors, interest, abilities, and available competition.

16. A girls' program in a given sport has to be offered if there is already sufficient interest, and there is already a boys' team in that sport. What constitutes sufficient interest?

The criteria used to establish boys' programs should also be used to determine whether or not there is sufficient interest to initiate a girls' program.

17. If five programs are offered for boys and five for girls, are equity standards met?

Not necessarily. According to the rule implementing section 118.13, Wis. Stats., programs shall be comparable in type, scope, and support from the school district. If a comparable activity is not sponsored for girls, the chance to participate in the boys' activity cannot be denied. If there is interest in establishing a girls' team in a sport

offered only to boys, the criteria used to initiate the boys' team should be applied to determine whether that expressed interest is sufficient for a separate girls' team.

18. **A school is planning to offer golf as a sport next year. A sign-up sheet has been posted on the athletic bulletin board, and boys' and girls' names are being accepted. Is the school proceeding in a manner acceptable to the WIAA?**

Article VI, Section G, of the WIAA Constitution reads as follows:

> "The Board of Control shall prohibit all types of interscholastic activity involving boys and girls competing with or against each other except (a) as prescribed by state and federal law and (b) as determined by Board of Control interpretations of such law."

If there is enough interest to sponsor only a boys' team, girls may not be denied the opportunity to try out for the boys' team. If girls make the team, they must play under the boys' rules, including playing from the boys' tees, and they will also be entered in the boys' tournament series. If enough students sign up to sponsor a girls' team but not a boys' team, a girls' team may be established. However, boys will not have the opportunity of participating on the girls' team.

19. **Is cheerleading considered a sport?**

Cheerleading is not considered an interscholastic sport. It cannot be used as a factor in determining equal opportunities for athletic participation. The provision of cheerleaders at games, however, must be equitable for teams of both sexes. *(See appendix A.)*

20. **We are attempting to meet equity requirements by providing cheerleaders support at both girls' and boys' athletic contests, however, girls' coaches and/or players do not want cheerleaders at their games. What can we do?**

Positive communication and gradual implementation helps all parties involved to accept this as law. Concentrate on the positive aspects of 118.13 that boys have traditionally experienced. Some schools have constituted a committee with coaches, players, and cheerleaders involved in planning implementation.

21. **Presently we have cheerleaders for boys' soccer in he fall. In order to comply with 118.13, we need cheerleaders for girls' soccer in the spring. This additional squad extends the season to the whole school year. What can be done?**

In order to be equitable for the cheerleaders, schools must recognize that lengthening the season involves additional budget, coaching staff, and uniforms.

If budgetary constraints prohibit hiring additional cheer coaches or lack of student interest makes provision of cheerleaders in the spring impossible, the elimination of soccer cheerleaders would be the best alternative.

22. Our principal is interpreting "comparable sports" to mean that because we are cheering for boys' football in the fall, we now are being asked to cheer for girls' volleyball during the same season.

The definition of "comparable" in this document refers to sports using "similar skills." Using this definition, girls' volleyball is not comparable to football and should not require cheerleaders. In addition, volleyball does not lend itself to having cheerleaders present on the sidelines and has not historically used cheerleaders.

23. I want to provide equal opportunities for all races in our school to participate in the cheer/pom programs. However, only Caucasian students have expressed interest in trying out. What are may responsibilities at this point?

Active recruiting with the help of students, teachers, and even community members may increase the interest level of these students. They need to know, as do all students, that they are welcome and will be treated fairly.

24. Active recruiting has sparked an interest in my cheer/pom program by all races, however, only Caucasian students have met the skill and/or academic requirements for placement on the squad. Have I met my obligations even though no minority students were selected?

You may want to examine the possibility of pre-try out clinics that include students of color or a special effort to recruit. In addition, you may want to assure yourself that there are no unconscious cultural barriers in the criteria used in the tryout.

25. Our school has only one varsity basketball cheerleading/pom squad with one coach. How can we schedule to cover all boys' and girls' games?

118.13 requires "equitable" support for comparable sports. This does not necessarily mean "total" support from cheerleaders/poms. If your schedule traditionally had 20 games, keep the 20-game limit but split equally the coverage at girls' and boys' games. Coordination with other conference schools would be helpful to insure consistency.

Careful consideration of any solution should take into account that cheerleaders/poms and their coaches should have a reasonable game schedule comparable to other athletes.

26. The girls' swimming and diving team competing in the fall has only two coaches, but the boys' swimming and diving team competing in the winter has three coaches. Is this acceptable?

The criteria for assigning coaches to a sport should be the same for both girls and boys. It should be locally developed and include, among other factors, interest, abilities, *number of participants*, and available competition.

27. The boys' baseball team is provided school-issued practice uniforms. The newly organized girls' softball team must provide all of their own practice attire. Is this acceptable?

If the boys' baseball team is provided school-issued practice uniforms, the same should be provided for the girls' softball team.

28. When a school has limited facilities for winter sports programs, is it reasonable to have the girls practice in the morning before school?

If facilities are limited and necessitate varied practice times, girls' and boys' teams should alternate practice schedules so both have equal access to the more convenient times. Schools are advised to develop schedules on a seasonal basis.

29. Is there an accepted standard to determine the time of year when a program should be sponsored?

It is difficult to respond to this question. When the WIAA assumed responsibility for the governance of girls' athletics, a number of programs had been established and were continued in their existing calendar slot. The U.S. District Court in Montana addressed this issue in 1986 and stated that a change in seasonal placement will not facilitate the goal of maximizing participation in athletics. Because five of the ten sports sponsored for girls are offered in the fall, seasonal placement is an acknowledged concern of the WIAA and DPI and is under study.

30. Our school officially wants unilaterally to enact a specific measure to achieve a greater degree of equity. The schools in the conference to which we belong wouldn't adopt a majority position enabling us to implement our desired objective. What can we do?

One option is to petition each member school's board of education for relief using the complaint procedure outlined in Appendix C. However, before doing that ask that the item be placed on a conference meeting agenda and address the issue in the presence of Department of Public Instruction and/or WIAA representatives.

31. Must games be scheduled so that the more favorable nights of the week are equally available to girls as they are to the boys?

Schools and conferences should take the initiative in establishing contest schedules so that girls' and boys' teams have an equal opportunity to play on nonschool nights and so that one program does not always have its games scheduled on nights followed by school days.

32. Must locker rooms, practice facilities, competition facilities, and medical and training facilities and services be comparable for both boys and girls?

Programs offered for boys and girls should provide facilities, supplies, and equipment that are comparable in quality and availability.

33. What impact can booster clubs and related fund raising have on athletic programs?

Section 118.13 Wis. Stats. rules say programs should be of the same type, scope, and support from the school district. Booster club financial contributions can affect program opportunities. School districts should have a policy on receiving gifts that assures school control of program support and encourages comparable support.

34. When is it appropriate to use a mascot or a logo with a potential ethic or cultural sensitivity?

A statement of caution is offered. The Wisconsin Department of Public Instruction is investigating an appeal that seems to prohibit the use of American Indians as school logos, mascots, or team names. The result of that appeal will be made public as soon as it is decided.

35. What are the state superintendent's responsibilities regarding s. 118.13, Wis. Stats.?

The state superintendent decides appeals of school board discrimination decisions. The state superintendent is required under PI 9.08(1) to submit information on the status of school district compliance with this statute to the legislature in the department's biennial report. Technical assistance must also be provided to assist in complying with this statute, as a district requests.

36. What are the DPI's reporting responsibilities to the legislature concerning the status of school district compliance with s. 118.13, Wis. Stats., and school district progress toward providing reasonable equality of educational opportunity and nondiscrimination for pupils in Wisconsin?

In its biennial report to the Legislature, the DPI must include information on the status of school district compliance with the statute and district progress toward providing equal educational opportunity.

37. Can complainants appeal to the state superintendent when they feel the school board has not complied with the provisions of PI 9 and s. 118.13, Stats.?

Complainants may appeal directly to the state superintendent if the board has not complied with the provisions of PI 9.04(2) by not having a complaint procedure available or by not reaching a determination in 90 days of receipt of a written complaint.

38. What procedure does the state superintendent utilize to resolve complaints under PI 9.08(1)(a) 1 and 2? Can the state superintendent's decision be appealed?

The state superintendent is required to use the procedures under PI 1 to resolve complaints. The procedures available under PI 1 include: providing technical assistance and trying to resolve the matter informally; conducting an investigation; conducting a hearing; issuing a decision based on the record of a hearing before the local school district; issuing a protective order; arranging for mediation; directing the complainant to exhaust administrative remedies available before the school district; or determining that the state superintendent does not have jurisdiction.

If an investigation is conducted, after the investigation the state superintendent will determine whether reasonable grounds exist for believing that the matter asserted by the complainant is probably true. If the state superintendent concludes that the school district has violated s. 118.13, he will direct the board to comply with the law, and will give the board 30 days to submit a plan to correct the situation.

The state superintendent's final decision concerning a complaint is subject to judicial review under the provisions of ch. 227, Wis. Stats.

39. What procedure does the state superintendent follow if he/she receives a complaint that has not been filed with the school board or if the complaint is currently under consideration by the school board?

The state superintendent shall refer a complaint back to the school board for resolution if it has not been filed with the school board or if the complaint is currently under consideration by the board. See PI 9.08(1)(a)(5), Wis. Admin. Code.

40. What services may the state superintendent provide to school districts to assist them in achieving equity goals?

The state superintendent may provide technical assistance to school districts. This includes assistance in policy development, staff inservice, review of district procedures, and other consulting services requested by the school district. See Appendix N for DPI resource personnel.

Appendixes

A. *Providing Cheerleaders for Both Boys' and Girls' Sports*

B. *School Responsibility if a Complaint is Filed Under the Pupil Nondiscrimination Law*

C. *Sample Discrimination Complaint Procedure*

D. *Sample Discrimination Complaint Form*

E. *WIAA Comparable Sports*

F. *Student Interest Surveys*

G. *Sample Student Athletic Interest Form*

H. *WIAA Constitution*

I. *WIAA Bylaws*

J. *WIAA Rules of Eligibility*

K. *WIAA Due Process Procedure*

L. *1989-90 Audiovisual Aids Request Form from WIAA*

M. *Audiovisual Materials Available from DPI*

N. *Resources*

O. *Section 118.13, Wis. Stat*

Providing Cheerleaders for Both Boys' and Girls' Sports

One of the most frequently asked questions by a school district implementing equitable support for girls and boys athletic programs is "How can we provide cheerleaders for boys' and girls' basketball teams?"

This section provides possible answers to difficult organizational questions as schools implement federal and state laws that require the following:

- Cheerleading opportunities that encourage both girls and boys to try out for squads.
- Comparable support activities for comparable sports, including equipment, supplies, cheerleaders, pep band appearances, school-generated publicity, pompon squads, pep meetings, mascots, booster clubs, uniforms and warm-ups, travel, food allowances, sport-specific support clubs, scheduling of games, scheduling of practice times, medical and training facilities and services.

Concern	Possible Solutions
Very few people attend the girls' basketball games. How can we justify a separate squad for the girl's teams?	• Examine the reason for providing cheerleaders. If the primary reason is to encourage the players, cheerleaders are as helpful for girls as for boys. • Note that girls' and boys' basketball are often compared; since inequities in the programs are noticeable to players, coaches, . and community members, the school will want to make it apparent that it values the programs equally by providing cheerleaders for both.
We have decided to provide cheerleaders for comparable boys' and girls' teams. How can we do that without creating the impression that one squad is more prestigious than another?	• Several options are suggested: increase the total number of cheerleaders, then rotate them at each contest so all squad members cheer with both teams. Have the squad cheer only at home games. Have two full squads and rotate them between girls' and boys' contests. A separate squad for girls' teams and boys' teams does not satisfy equity standards and is not permissible.
We want cheerleaders at both contests but our cheerleaders refuse to cheer for the girls. What can we do?	• This may be happening because all the cheerleaders are girls. Change the squads so that they are 50 percent male and 50 percent female. Point out that the school values the contributions of its female athletes as much as its male athletes.

We want cheerleaders at both contests but our cheerleaders refuse to cheer for the girls. What can we do?	• Inform the cheerleaders that the school intends to be in compliance with the law and that cheering for both teams will be a part of their responsibilities if they accept a position as cheerleader. • Eliminate cheerleaders for all sports in which the problem occurs.
We want boys as well as girls to try out for cheerleading, but they refuse to do it. How can we encourage them?	• Make sure that announcements for try-outs include the statement that boys and girls are invited. • Ensure that cheerleader tryouts and per-rmances include a variety of skills: strength, agility, grace, etc. • Note that colleges and universities have both male and female cheerleaders.

Making the Transition Easier

In order for a smooth transition when implementing equitable support, we suggest that open communications occur among all parties involved. Change always stimulates some resistance but a "no surprises" philosophy can go a long way toward easing resistance. The plan should not be considered as final. Frequent re-evaluation and modification will make for a better, more satisfying plan for all involved.

Considerations for addressing change include the following:

- A year before implementing changes in cheer, pom, and band programs to comply with federal and state statutes, meetings could occur among the athletic director, band director, cheer, pom, and basketball coaches. Needs and concerns for each group would be discussed. A plan for compliance might then be formulated over time.
- Coaches and band directors may want to get input from their groups to address their needs.
- Some schools have involved parents in informational meetings after a plan has been formulated.
- Once a plan has been decided on, it may be taken to the school's principal for approval or revisions and to the school board when finalized.
- It is very important during cheer and pom tryouts that the new plan is explained to the tryout participants so that they know what will be expected of them should they become cheerleaders or poms.
- Finally, the band director and cheer and pom coaches should sit down with the athletic director and choose the contests for which they will perform keeping all their needs in mind when scheduling.
- Cheer coaches may want to follow the above steps on a conference level to ensure that games attended will have cheerleaders from both schools represented. A good time for this would be at conference athletic meetings.

School Responsibility if a Complaint is Filed Under the Pupil Nondiscrimination Law

Step 1 Attempt informal resolution.

Step 2 Provide copy of local complaint procedure to complainant.

Step 3 Provide written acknowledgement of a written complaint within 45 days.

Step 4

- Provide school's written determination of the complaint within 90 days of acceptance of the written complaint, unless both parties agree to an extension of time.
- Inform complainant of right to appeal a negative determination to state superintendent and of the procedures for making the appeal.

Step 5

Make changes as agreed.

or

Await state superintendent's determination of appeal if complainant chooses this route.

Step 6

Make changes as required.

or

Appeal dismissed; no change required.

Appendix C

Sample Discrimination Complaint Procedure

Example

Gibbsville School District
S. 118.13, Wis. Stats.
Public Discrimination Complaint Procedure

If any person believes that Gibbsville School District or any part of the school organization has failed to follow the law and rules of s. 118.13, Wis. Stats., or in some way discriminates against pupils on the basis of sex, race, color, national origin, ancestry, creed, pregnancy, martial or parental status, sexual orientation, or physical, mental, emotional, or learning disability, he/she may bring or send a complaint to the Administration Office at the following address: 1763 Huron Drive, Gibbsville, Wisconsin 53700.

Step 1 A written statement of the complaint shall be prepared by the complaintant and signed. This complaint shall be presented to the district employee designated to receive complaints. That employee shall send written acknowledgment of receipt of the complaint within 45 days.

Step 2 A written determination of the complaint shall be made by the board within 90 days of receipt of the complaint unless the parties agree to an extension of time; appeals under 20 USC s. 1415 and ch. 115, Wis. Stats., relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education of a child with an exceptional educational need shall be resolved through the procedures authorized by ch. 115, subch. V, Wis. Stats. Complaints under 20 USC s. 1231e-3 and 34 CFR ss. 76.780-76.782, commonly referred to as EDGAR complaints, that the state or a subgrantee is violating a federal statute or regulation that applies to a program shall be referred directly to the state superintendent.

Step 3 If a complainant wishes to appeal a negative determination by the board, he/she has the right to appeal the decision to the state superintendent within 30 days of the board's decision. In addition, the complainant may appeal directly to the state superintendent if the board has not provided written acknowledgment within 45 days of receipt of the complaint or made a determination within 90 days of receipt of the written complaint. Appeals should be addressed to: State Superintendent, Wisconsin Department of Public Instruction, 125 South Webster Street, P. O. Box 7841, Madison, Wisconsin 53707.

Step 4 Discrimination complaints on some of the above bases may also be filed with the federal government at the Office for Civil Rights, U.S. Department of Education, 300 South Wacker Drive, 8th Floor, Chicago, Illinois 60606.

Note: The 118.13 complaint procedure does not apply to district employees or job applicants. Also, it does not replace the federal regulations that require a school district to have Title IX and Section 504 complaint procedures

Sample Discrimination Complaint Form

Sample
Discrimination Complaint Form
(For Local Use)

Name		Date	
Address	City	State	Zip
Telphone *Home*	Telephone *School or Work*		

Status of person filing compliant ❑ Student ❑ Employee ❑ Parent ❑ Other _____

Filing complaint alleging discrimination on the basis of

Statement of complaint (include type of discrimination charged and the specific incidents(s) in which it occurred)

Signature of complainant	Date complaint filed
Signature of person receiving complaint	Date received

Submit all copies to (employee designated to receive complaints), or the immediate supervisor, or their respective secretaries. The person receiving the complaint will sign and date the complaint. Once copy will be returned to the complainant, one copy will be sent to the school or department affected by the complaint, and one copy will be sent to the complaint investigation officer.

Distribution: 1st copy—Complaint investigation officer
2nd copy—School/department
3rd copy—Complainant

Appendix E

WIAA Comparable Sports

For the purpose of making equity decisions comparable sports are those which give boys and girls meaningful opportunities to participate in interscholastic athletics. Comparable sports provide both boys and girls with similar sponsored programs, season lengths, contest maximums, coach/participant ratios, support activities, practice and contest schedules, available transportation, supplies and equipment budget, and contest officials. Whether identical sports are offered to both boys and girls is a matter to be determined by the interests and abilities of participants.

I.	Girls	Boys
	Basketball	Basketball
	Cross Country	Cross Country
	Golf	Golf
	Soccer	Soccer
	Softball	Baseball
	Swimming	Swimming
	Tennis	Tennis
	Track & Field	Track & Field

II. Girls Only: Although gymnastics and volleyball are now recognized as sports for girls only, they may be recognized for boys if sufficient interest develops.

III. Other: There are no girls' sports at this time comparable to football, hockey, and wrestling. Since only a few girls, statewide, have shown interest in participating in these sports, no teams for girls have been organized. However, individual girls have occasionally participated on boys' teams.

Student Interest Surveys

One of the basic implications of the Title IX Regulation and Wisconsin Statutes is that sports and athletic programs must effectively accommodate the interests and abilities of all students. This standard necessitates the development and application of data collection procedures. One of the primary methods for determining the interests of students is to conduct a survey of student interests at regular intervals.

Please take a minute to think about how a student interest survey should be designed and answer the following questions:

1. What types of information should be included in a student survey?

2. What do you believe would be the outcome of a student survey conducted in your schools?

3. What procedures should be used for its distribution?

4. How frequently should student interest surveys be conducted?

Physical activity personnel need to consider what should be included in a student survey, the procedures to be used for its distribution, the frequency of student interest surveys, and the ways that the information obtained may be integrated into existing programs.

A student survey form should ensure inclusion of the following types of information:

- Identifying information: the name, grade level, and sex of the student.
- Explanatory information: the purpose of the survey and how the information will be used.
- A system of ranking or rating specific sports activities: a listing of sports which students may rank or rate.
- Opportunity for suggesting other sports alternatives: space for listing possible interests that are not included in the listing should be provided.
- Opportunity for comments: general questions regarding attitudes or other suggestions for sports programs would be desirable.

The procedures which are followed in the distribution of a student survey may influence the outcomes. It usually is wise to ensure distribution to every student at a time when students can provide their individual responses without undue peer group pressure.

Student surveys should be conducted periodically as a means of identifying current needs and the changing patterns of student interest. Determination of the frequency of student surveys should be based on the frequency of significant composition of the student body, the number of times that athletic programs are designed, and the feasibility of survey efforts. Completion of surveys on a regular basis could ensure the timelines of data being used for program planning.

Appendix G

Sample Student Athletic Interest Form

The purpose of this survey is to ensure that the total athletic program provides both males and females an equal opportunity to compete in athletics in a meaningful way.

The degree of student interest or the lack of interest in athletic activities will be used to help determine what sports will be offered by the district. Every effort will be made to satisfy students' requests based on the interests recorded in this survey.

Please answer each section carefully. Be sure that you indicate in rank order the different sports that either you prefer to play or that you feel would satisfy your interests and abilities. One = 1, the highest rank.

SCHOOL _____

GRADE _____ DATE _____

MALE _____ FEMALE _____

I. Athletic offerings that I have played and will continue to play: (Rank Order 1-6; 1 is the most preferred; 6 is the least preferred.)

____ Baseball	____ Swimming
____ Basketball	____ Tennis
____ Bowling	____ Track and Field
____ Cross Country	____ Volleyball
____ Golf	____ Wrestling
____ Gymnastics	____ Others: _____
____ Hockey	____ _____
____ Soccer	
____ Softball	

Comments

II. Athletic offerings that I have not played but would like to play: (Rank Order 1-6; 1 is the most preferred; 6 is the least preferred.)

____ Archery	____ Soccer
____ Baseball	____ Softball
____ Basketball	____ Swimming
____ Bowling	____ Tennis
____ Boxing	____ Track and Field
____ Cross Country	____ Volleyball
____ Fencing	____ Wrestling
____ Football	____ Others: _____
____ Golf	____ _____
____ Gymnastics	
____ Hockey	

Comments:

III. The six top offerings which I am most interested in playing:

1. _____	4. _____
2. _____	5. _____
3. _____	6. _____

IV. What do you like most about the sports program in your school?

V. How do you think the program could be improved

WIAA Constitution

Article I—Name

The name of this voluntary, unincorporated, and nonprofit organization shall be the Wisconsin Interscholastic Athletic Association (WIAA), hereinafter referred to as the association.

Article II—Purpose

The purpose of this association is threefold:

A. To organize, develop, direct, and control an interscholastic athletic program which will protect, conserve,and promote the health and physical welfare of its participants.

B. To emphasize interscholastic athletics as a partner with other school activities in the total educational process, and to formulate and maintain policies which will cultivate high ideals of good citizenship and sportsmanship.

C. To promote uniformity of standards in interscholastic athletic competition, and to prevent exploitation by special interest groups of the school program and the individual's ability.

Article III—Membership

A. Eligibility

Membership in this association is open to:

1. Public schools.

2. Schools associated with state-supported universities and colleges.

3. State, county, and municipality supported institutional schools offering instruction in any or all of Grades 7-12.

B. Admission

Application for membership shall be considered by the Board of Control of this association upon receipt of the form provided for such purpose of evidence that the school:

1. Is eligible for membership as a public school or institution, substantially supported by taxation, and the application for membership by the public school has been approved by the school board of the school district of which the school is a part.

2. Will conduct its athletic program under the constitution, bylaws, rules of eligibility, and all other regulations of this association.

3. Agrees to abide by decisions and respect interpretations of the Board of Control of this association.

C. Classification

Each senior high school shall be classified for purposes of membership, representation, and competition (including tournaments where necessary) on the basis of previous year's enrollment as of the third Friday in September.

1. Schools affiliated on a 10-12 basis shall add, for purposes of classification and competition:

   a. The total enrollment figure of the grade 9 students if there is only one school with grades 10-12 students in the district.

   b. One-third of the enrollment of grades 10-12 if there is more than one school with grades 10-12 students in the district.

2. The Board of Control shall have authority to adjust enrollment figures in unusual situations (such as consolidation, formation of new school, gain or loss of district, etc.) provided such information is made known before September 15 of each year.

3. The enrollment of schools consisting of students of only one sex shall be doubled to determine its classification.

D. Dues

1. Member schools shall pay annual dues to the association in conjunction with filing membership renewal application forms at the beginning of each school year.

2. Dues shall be payable by October 15 each year.

3. The amount of dues for senior high and junior high members shall be based on the size of schools in three classifications (large, medium, and small) and shall be determined annually by the Board of Control.

E. Expulsion

A member school may be expelled from this association by a majority vote at the annual meeting provided that:

1. Reasons for expulsion are presented in writing by the Board of Control at such annual meeting.

2. Charges in connection with expulsion are presented by the executive director to the district administrator or principal of the school involved at least ten days before the date of such annual meeting.

Article IV—Annual Meeting

A. The Board of Control shall designate a time and place for an annual meeting for the purpose of conducting the business of this association.

B. Written notice of the annual meeting shall be provided to member schools at least 30 days prior to the date of the annual meeting.

C. Each member senior high school (grades 9-12 or 10-12) shall be entitled to one vote at the annual meeting, and this vote must be cast by the district administrator, principal, or another person designated by the local Board of Education.

D. The Board of Control may call a special meeting of the membership for emergency reasons, but not earlier than 30 days from the first notice of such a meeting.

Article V—Board of Control

A. Membership

1. Executive and administrative powers of this association shall be vested in a committee of nine members to be known as the Board of Control.

   a. Eight of the members shall be district administrators, assistant administrators, high school principals or assistant high school principals. Seven of the eight members shall each represent one of the districts comprised of the high schools listed hereafter, and one member shall be an at-large representative of whichever gender is in the minority on the membership of the Board as of the election date for this position's term of office.

      (1) District 1—Northwest (64 schools)—Amery, Ashland, Baldwin-Woodville, Barron, Bayfield, Birchwood, Bloomer, Boyceville, Bruce, Butternut, Cadott, Cameron, Chetek, Clayton, Clear Lake, Colfax, Cornell, Cumberland, Drummond, Flambeau (Tony), Frederic, Gilman, Glenwood City, Glidden, Grantsburg, Hayward, Hudson, Hurley, Ladysmith, Lake Holcombe, Lakeland (Minocqua), Luck, Medford, Mellen, Mercer, Minong, New Auburn, New Richmond, Northwestern (Maple), Ondossagon (Ashland), Osceola, Owen-Withee, Park Falls, Phillips, Prairie Farm, Prentice, Rice Lake, St. Croix Central (Hammond), St. Croix Falls, Shell Lake, Siren, Solon Springs, Somerset, South Shore (Port Wing), Spooner, Stanley-Boyd, Superior, Thorp, Turtle Lake, Unity (Milltown), Washburn, Webster, Weyerhaeuser, Winter.

      (2) District 2—Northeast (66 schools)—Abbotsford, Almond, Amherst, Antigo, Athens, Auburndale, Bonduel, Bowler, Clintonville, Colby, Coleman, Crandon, Crivitz, D.C. Everest (Schofield), Edgar, Elcho, Florence, Gillett, Goodman, Gresham, Iola-Scandinavia, Laona, Lena, Lincoln Hills (Irma), Manawa, Marathon, Marinette, Marion, Marshfield, Menominee (Indian), Merrill, Mosinee, Nekoosa, Niagara, Northland Pines (Eagle River), Oconto, Oconto Falls, Pembine, Peshtigo, Phelps, Pittsville, Plainfield, Port Edwards, Pulaski, Rhinelander, Rib Lake, Rosholt, Seymour, Shawano, Shiocton, Spencer, Stevens Point, Stratford, Suring, Three Lakes, Tigerton, Tomahawk, Wabeno, Wausau East, Wausau West, Wausaukee, White Lake, Wild Rose, Wisconsin Rapids, Wittenberg-Birnamwood.

      (3) District 3—West Central (62 schools)—Adams-Friendship, Alma, Altoona, Arcadia, Arkansaw, Augusta, Bangor, Baraboo, Black River Falls, Blair-Taylor, Brookwood (Ontario), Cashton, Chippewa Falls, Cochrane-Fountain City, De Soto, Durand, Eau Claire, Memorial, Eau Claire North, Eleva-Strum, Elk Mound, Ellsworth, Elmwood, Fall Creek, Gale-Ettrick-Trempealeau (Galesville), Gilmanton, Greenwood, Hillsboro, Holmen, Independence, Kickapoo (Viola), La Crosse Central, La Crosse Logan, La Farge, Lincoln (Alma Center), Loyal, Mauston, Melrose-Mindoro, Menomonie, Mondovi, Necedah, Neillsville, New Lisbon, Onalaska, Osseo-Fairchild, Pepin, Plum City, Portage, Prescott, Reedsburg, River Falls,

Royall (Elroy), Sparta, Spring Valley, Tomah, Viroqua, Westby, Weston (Cazenovia), West Salem, Whitehall, Wisconsin Dells, Wonewoc.

(4) District 4—East Central (60 schools)—Algoma, Appleton East, Appleton West, Ashwaubenon (Green Bay), Bay Port (Howard-Suamico), Berlin, Brillion, Cedar Grove, Chilton, Denmark, De Pere, Elkhart Lake-Glenbeulah, Fond du Lac, Freedom, Gibraltar (Fish Creek), Green Bay East, Green Bay Preble, Green Bay Southwest, Green Bay West, Hilbert, Hortonville, Howards Grove, Kaukauna, Kewaunee, Kiel, Kimberly, Kohler, Little Chute, Luxemburg-Casco, Manitowoc, Menasha, Mishicot, Neenah, New Holstein, New London, Omro, Oostburg, Oshkosh North, Oshkosh West, Ozaukee (Fredonia), Plymouth, Random Lake, Reedsville, Ripon, Sevastopol (Sturgeon Bay), Sheboygan North, Sheboygan South, Sheboygan Falls, Southern Door (Brussels), Stockbridge, Sturgeon Bay, Two Rivers, Valders, Washington Island, Waupaca, Wautoma, West De Pere, Weyauwega-Fremont, Winneconne, Wrightstown.

(5) District 5—Southwest (61 schools)—Albany, Argyle, Barneveld, Belleville, Belmont, Beloit, Benton, Black Hawk, (South Wayne), Bloomington, Boscobel, Brodhead, Cassville, Cuba City, Darlington, De Forest, Dodgeville, Evansville, Fennimore, Highland, Iowa-Grant (Livingston), Ithaca (Richland Center), Janesville Craig, Janesville Parker, Juda, Lancaster, Lodi, Madison East, Madison La Follette, Madison Memorial, Madison West, McFarland, Middleton, Mineral Point, Monona Grove, Monroe, Monticello, Mount Horeb, New Glarus, North Crawford (Gays Mills), Oregon, Parkview (Orfordville), Pecatonica (Blanchardville), Platteville, Potosi, Prairie du Chien, Richland Center, Riverdale (Muscoda), River Valley (Spring Green), Sauk Prairie (Prairie du Sac), Seneca, Shullsburg, Southwestern (Hazel Green). Stoughton, Sun Prairie, Turner (Beloit), Verona, Waunakee, Wauzeka, West Grant (Patch Grove), Wisconsin Visually Handicapped (Janesville), Wisconsin Heights (Mazomanie).

(6) District 6—South Central (60 schools)—Arrowhead (Hartland), Badger (Lake Geneva), Beaver Dam, Big Foot (Walworth), Burlington, Cambria, Cambridge, Campbellsport, Clinton, Columbus, Deerfield, Delavan-Darien, Dodgeland (Juneau), East Troy, Edgerton, Elkhorn, Ethan Allen (Wales), Fall River, Fort Atkinson, Green Lake, Hartford, Horicon, Hustisford, Jefferson, Johnson Creek, Kettle Moraine (Wales), Kewaskum, Laconia (Rosendale), Lake Mills, Lomira, Markesan, Marshall, Mayville, Milton, Montello, Mukwonago, Norris Foundation (Mukwonago), North Fond du Lac, Oakfield, Oconomowoc, Palmyra-Eagle, Pardeeville, Poynette, Princeton, Randolph, Rio, Salem, Slinger, Union Grove, Waterford, Waterloo, Watertown, Waupun, West Bend East, West Bend West, Westfield, Whitewater, Williams Bay, Wilmot, Wisconsin Deaf (Delavan).

(7) District 7—Southeast (52 schools)—Brookfield Central, Brookfield East, Brown Deer, Cedarburg, Cudahy, Franklin, Germantown, Grafton, Greendale, Greenfield, Hamilton (Sussex), Homestead (Mequon), Kenosha Bradford, Kenosha Tremper, Menomonee Falls, Milwaukee Arts, Milwaukee Bay View, Milwaukee Custer, Milwaukee Hamilton, Milwaukee Juneau, Milwaukee King, Milwaukee Madison, Milwaukee Marshall, Milwaukee North, Milwaukee Pulaski, Milwaukee Riverside, Milwaukee South, Milwaukee Technical, Milwaukee Vincent, Milwaukee Washington, Muskego, New Berlin Eisenhower, New Berlin West, Nicolet, Oak Creek, Pewaukee, Port Washington, Racine Case, Racine Washington Park, Racine William Horlick, St. Francis, Shorewood, South Milwaukee, Waukesha North, Waukesha South, Wauwatosa East, Wauwatosa West, West Allis Central, West Allis Hale, West Milwaukee, Whitefish Bay, Whitnall.

b. One member shall represent the Wisconsin Association of School Boards.

2. The terms of office for members of the Board of Control will be three years, effective with the August meeting of the board. A member's consecutive tenure on the board may not encompass more than two full three-year terms.

3. Members of the Board of Control will serve without compensation except for reimbursement of expenses incurred while performing necessary duties of a board member.

4. A vacancy exists on the Board of Control when a member (a) moves from one electoral district to another, (b) leaves the profession, (c) resigns from the board or (d) is unable to serve for any reason.

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B. Elections

1. Representatives of Seven Districts and At-Large Representative

   a. Each member senior high school (9-12 or 10-12) of this association is entitled to one vote for Board of Control member in the geographical district of the school and one vote for at-large member, and the vote must be cast by the district administrator, high school principal, or a person designated by either of these persons.

   b. No later than the fourth Tuesday in January, the WIAA office will announce that declarations of candidacy will be accepted from eligible administrators (Article V. Section A-1-a) if there is a Board of Control vacancy in their elector district or for the at-large gender representative.

   c. No later than five p.m. on the fourth Tuesday in February, any eligible school administrator may file a declaration of candidacy with the WIAA office.

   d. No later than the first Tuesday in March, the executive director shall verify the declarations of candidacy and certify the names of the candidates who have filed valid nominations.

   e. The Board of Control shall require a primary election if there are more than two candidates for any seat. If a primary is necessary, a ballot will be prepared and distributed to the appropriate schools. The return ballot must be signed and returned to the WIAA office postmarked not later than the fourth Tuesday in March. If a primary is necessary, a ballot will be signed and returned to the WIAA office postmarked not later than the fourth Tuesday in March. If any eligible candidate receives 75 percent or more of the total votes that can be cast, that person shall be declared elected. Primary election ballots will provide a write-in option.

   f. Before the first Tuesday in April (unless the primary has determined an elected candidate) or immediately following the primary (if necessary), the WIAA office will issue ballots to the voting schools for purposes of the election. These ballots will contain the names of the top vote-getters in the primary—double the number to be elected as well as a write-in option, or, if there has not been a primary, the ballots will contain the names of all candidates as well as a write-in option. The ballots must be signed and returned postmarked not later than the third Tuesday in April.

   g. A special elections committee appointed by the Board of Control shall open and canvass the ballot. The results shall be announced at the annual meeting. In case of a tie representatives of member senior high schools from the district involved present at the annual meeting shall determine the winner.

2. Wisconsin Association of School Boards Representative—The Board of Directors of the Wisconsin Association of School Boards shall determine the procedure of selecting its representative on the Board of Control.

3. Vacancies

   a. Representatives of Seven Districts and At-Large Gender Representative

      (1) A vacancy occurring after August 1 but before the election procedure begins (fourth Tuesday in January) will be filled by the Board of Control appointing a replacement.

         (a) An appointed replacement for a vacancy will serve only until the day before the next following August meeting of the Board of Control.

         (b) There will be a special election at the time of the regular election to complete an unexpired term if one or two years remain on a term temporarily filled by an appointed replacement.

      (2) A vacancy occurring after the election procedure begins (fourth Tuesday in January) but before August 1 will be filled by a Board of Control authorized special election using procedures similar to the regular election procedure.

   b. Wisconsin Association of School Boards Representative

      A vacancy will be filled by the Board of Directors of the Wisconsin Association of School Boards determining a replacement.

C. Organization

1. The Board of Control shall organize each year following the annual meeting for the purpose of electing a president, vice president and treasurer. (The executive director shall act as secretary of the board.)

2. There shall be a minimum of six regular meetings of the Board of Control each school year, and a majority of members shall constitute a quorum for each meeting.

3. The duties of the president:

   a. Call and preside over all regular meetings of the Board of Control.

   b. Preside over the annual meeting.

   c. Approve by signature all disbursements of the association.

   d. Represent the board whenever such representation is in the best interest of the association.

4. The duties of the vice president shall be the same as those of the president in the event the president is absent or for some reason unable to perform such duties.

5. The duties of the treasurer:

   a. Maintain a complete record of association finances, including investments.

b. Approve by signature all disbursements of the association.

c. Represent the board whenever such representation is in the best interest of the association.

Article VI—Powers and Duties of the Board of Control

A. The Board of Control shall employ an executive director (not a member of the board) and may authorize that person to make decisions as necessary for the proper operation of Association business. The Board may provide office facilities for conducting Association business, and may approve assistants to the Director and other employees necessary for the administrative work of the association.

B. The Board of Control shall have general control over all activity and persons involved with the official school teams in any sport sponsored by this association.

1. The board shall have sole authority to interpret the provisions of the constitution, bylaws, rules of eligibility, and any other regulations which are adopted.

2. The board shall have the authority to make changes whenever necessary in rules and regulations of this association except the constitution, bylaws, and rules of eligibility.

3. The board shall hear all appeals of decisions by the executive director and shall have authority to grant relief in case of emergency or if extenuating circumstances are involved.

C. Any of the following penalties may be imposed upon member schools which violate association rules and regulations if such action is regarded as necessary for maintenance of discipline:

1. Suspension of membership for not more than one year.

2. Probation for not more than one year.

3. Denial of participation in association tournament program.

4. Denial of any area of association services and benefits.

5. Monetary fine equal to association expense incurred in investigation of incident.

Note: All parties concerned may be convened after 48 hours of notice to consider charges filed against a member school.

D. Any of the following penalties may be imposed upon a coach of a member school for reasons of unacceptable conduct:

1. Letter of reprimand.

2. Probation for not more than one year.

3. Suspension as a coach (with approval of the local board of education) for not more than one year.

Note: A coach may be required to appear with an administrator before the executive director.

E. The Board of Control may operate a benefit plan for the purpose of assisting in the payment of costs incurred for treatment of injuries sustained in interscholastic athletics, normal school attendance and other school sponsored activities.

F. The Board of Control shall establish modified rules and regulations (where necessary) for the junior high school interscholastic athletic program with the assistance of a junior high advisory committee.

G. The Board of Control shall prohibit all types of interscholastic activity involving boys and girls competing with or against each other except (a) as prescribed by state and federal law and (b) as determined by Board of Control interpretations of such law.

H. The Board of Control may take steps, if it deems it necessary, to incorporate this association.

I. The Board of Control shall maintain a pension fund for its employees.

J. The Board of Control shall register game officials for interscholastic competition, and the board shall have the authority to determine qualification for membership, procedure for advancement and conditions for revocation, suspension or probation of registration.

K. The Board of Control has the authority to take action to bring about a reasonable conference affiliation and relationship for member schools.

Note: It is not the intent to make wholesale changes in existing conference lines. It should be understood, however, that there could be shakeups in areas where conference affiliation problems are particularly acute. And it likewise should be understood that it may not be realistic to find a solution for every member school.

L. The Board of Control has authority to approve cooperative team sponsorship (one team in a given sport involving two or more member schools) under the following conditions:

1. The schools involved must be in the same geographical area.

2. The agreement for a cooperative team must specify two school years, but that agreement may be terminated by the Board of Control for documented extenuating circumstances.

3. Applications for approval of a cooperative team must include the following:

a. Reasons for request, including assurance that a cooperative team will not limit opportunities for students.

b. Official resolution(s) from board(s) of education.

c. Position statement, including vote of each school, from conference in which cooperative team will be competing.

4. Requests must be submitted by May 1 to be considered for subsequent school year.

Note: The deadline for submitting requests may be waived for documented extenuating circumstances.

5. Total enrollment of schools involved in cooperative teams will determine classification of competition in WIAA tournament series.

Article VII—Advisory Council

A. Membership

1. A committee of 16 members to be known as the Advisory Council shall be established to represent three classes of member schools by enrollment size as follows:

   a. Five members to represent the large size schools.

   b. Five members to represent the middle size schools.

   c. Five members to represent the small size schools.

   d. One member shall be an at-large representative of whichever sex is in the minority on the membership of the council as of the election date for this position's term of office. If membership on the council is equally represented by sex, this position shall be open to both sexes.

   e. Enrollment cutoff marks dividing the three classes of representation shall be determined by the Board of Control.

2. The terms of office for members of the Advisory Council will be three years beginning with the start of the school year following election. A member's consecutive tenure on the council may not encompass more than two full three-year terms.

3. A vacancy exists on the Advisory Council when a member (a) moves to a school in another enrollment classification, (b) leaves the profession, (c) resigns from the council, (d) is elected or appointed to the Board of Control or (e) is unable to serve for any reason.

B. Qualifications

Membership on the Advisory Council is open to district administrators, assistant administrators, high school principals, or assistant high school principals of member senior high schools (grades 9-12 or 10-12) of this association, and members shall serve

without compensation except for reimbursement of expenses incurred while performing necessary duties of a council member.

C. Elections

1. Each member senior high school (grades 9-12 or 10-12) of this association is entitled to one vote for Advisory Council member in the enrollment classification of the school and one vote for at-large member, and the vote must be cast by the district administrator, high school principal, or a person designated by either of these persons.

2. No later than the fourth Tuesday in January, the WIAA office will announce that declarations of candidacy will be accepted from eligible administrators (Article VII, Section B) if there are Advisory Council vacancies in their enrollment classification or for the at-large gender representative.

3. No later than five p.m. on the fourth Tuesday in February, any eligible school administrator may file a declaration of candidacy with the WIAA office.

4. No later than the first Tuesday in March, the executive director shall verify the declarations of candidacy and certify the names of the candidates who have filed valid nominations.

5. The Board of Control shall require a primary election if there are more than twice as many candidates as there are available positions to be filled. If a primary is necessary, a ballot will be prepared and distributed to the appropriate schools. The return ballot must be signed and returned to the WIAA office postmarked not later than the fourth Tuesday in March. If any eligible candidates receives 75 percent or more of the total votes that can be cast, that person shall be declared elected. Primary election ballots will provide a write-in option.

6. Before the first Tuesday in April (unless the primary has determined an elected candidate) or immediately following the primary (if necessary), the WIAA office will issue ballots to the voting schools for purposes of the election. These ballots will contain the names of the top vote-getters in the primary—double the number to be elected as well as a write-in option or, if there has not been a primary, the ballots will contain the names of all candidates as well as a write-in option. The ballots must be signed and returned postmarked not later than the third Tuesday in April.

7. A special elections committee appointed by the Board of Control shall open and canvass the ballots. The results shall be announced at the annual meeting. In case of ties, representatives of member senior high schools present at the annual meeting from the classification of schools involved shall determine the winner.

8. Vacancies

   a. A vacancy occurring after the start of the school year but before the election procedure begins (fourth Tuesday in January) will be filled by the Board of Control appointing a replacement.

(1) An appointed replacement for a vacancy will serve only until the day before the start of the next following school year.

(2) There will be a special election at the time of the regular election to complete an unexpired term if one or two years remain on a term temporarily filled by an appointed replacement.

b. A vacancy occurring after the election procedure begins (fourth Tuesday in January) but before the start of the following school year will be filled by a Board of Control authorized special election using procedures similar to the regular election procedure.

D. Organization

1. The Advisory Council shall organize each year at its first meeting following the annual meeting for the purpose of electing a chairman and vice-chairman. (The executive director of the association shall act as secretary to the council.)

2. There shall be a minimum of two meetings of the Advisory Council each school year, and a majority of members shall constitute a quorum for each meeting.

E. Duties

1. The Advisory Council shall advise the Board of Control in formulating the aims and policies of this association.

2. The council shall have the power to initiate amendments for presentation to the membership of the association.

Article VIII—Amendments

A. Origin

A proposed amendment to the constitution, bylaws, or rules of eligibility of this association may originate:

1. At the annual meeting of this association.

2. In the Board of Control.

3. In the Advisory Council.

4. By petition in writing by the district administrator or high school principal of at least 10 percent of the member senior high schools.

B. Procedure

1. Within thirty days of the origination or filing of a proposed amendment the executive director shall distribute to member senior high schools of this association an

informational bulletin detailing the wording of the proposal and a brief description of its meaning, intent, and the effect of passage.

2. The member school representatives at the ensuing annual meeting (or at a special emergency meeting) of this association shall vote on the proposed amendment. If the majority of schools vote in favor of the proposed amendment it shall become effective no later than the next following issue of the *bulletin*, the official publication of this association.

C. The Board of Control shall have authority following each annual meeting of this association to incorporate related changes in the constitution, bylaws, and rules of eligibility with the action taken by the membership at the annual meeting but such changes shall not alter the meaning or intent of any provision.

Article IX—Junior High Advisory Committee

A. There shall be established a junior high advisory committee for the purpose of advising the Board of Control of this association in the area of aims and policies of interscholastic athletics for grades 7-9.

B. Membership of this advisory committee shall consist of seven principals of member junior highs containing grades 7-9 students (or any combination thereof)—one member representing each of the seven Board of Control districts.

C. Matters relating to election, terms of office and vacancies shall be determined by the Board of Control but only principals of member junior highs containing grades 7-9 students (or any combination thereof) shall be eligible to elect representatives to the advisory committee.

D. The advisory committee shall meet at least once each school year and more often as directed by the Board of Control.

E. The advisory committee, with Board of Control approval, shall have authority to initiate amendments to the constitution, bylaws, and rules of eligibility of this association as they pertain to proposals to change rules and regulations affecting grades 7, 8, and 9 students at schools affiliated for junior high membership. Only principals of schools containing grade 7, 8 and 9 students and affiliated for junior high membership shall be eligible to vote on such proposed amendments.

Article X - Recognized Sports

A. The recognized sports of this association shall be:

Baseball, basketball, cross country, football, golf, hockey, soccer, swimming, tennis, track and field,and wrestling for boys; and basketball, cross country, golf, gymnastics, soccer, softball, swimming, tennis, track and field, and volleyball for girls.

B. The Board of Control shall have authority to add or eliminate a sport.

C. Until a sport has reasonable participation on the part of member schools, the Board of Control shall have authority to make exceptions to rules as necessary for the satisfactory sponsorship of such a sport.

D. Schools may conduct interscholastic competition in sports other than those herein listed (except boxing which is prohibited), but rules and regulations of the association do not apply to competition in such other sports.

E. A member school must have an officially-adopted program in a sport in order to enter a team and individuals in the WIAA tournament series of that sport.

Policy on Sport Recognition and WIAA Tournament Sponsorship

1. The Board of Control may consider adding a new sport to the list of recognized and regulated activities at such a time as 21 schools (5 percent of the membership) are participating in that sport at the same time of the year and indicate an interest in WIAA involvement.

2. A WIAA sponsored tournament series leading to state team and where applicable individual champions will be provided at such a time as at least 42 schools (10 percent of the membership) are participating in that sport at the same time of the year and indicate an interest in such a tournament series.

3. Sports which at any time do not qualify under 10 percent and 5 percent standards are reviewed annually by the Board of Control for purposes of determining future tournament and, where applicable, recognition status.

Note: (a) Hockey (anticipated 38 schools in 1989-90) continues to have a WIAA tournament program.
(b) Gymnastics (anticipated 118 teams at 133 schools in 1989-90) continues to have a two-class WIAA tournament program.

Article XI—Playing Rules and Season Regulations

A. Sports regulations (boys and girls) as they are annually adopted by the Board of Control shall govern the conditions under which all approved and recognized sports of this association are sponsored by member schools, both as relates to playing rules and season regulations.

B. A member school shall be required to follow stipulations of sports regulations (boys and girls) in competition involving nonmember schools and teams, including out-of-state competition.

C. A school may not hold practice or competition in a sport other than as specified in sports regulations (pp.36-11, inclusive, of the handbook).

1. No practice session may be conducted in the form of a training camp or similar program designed by intent or otherwise to prepare a team for its season of competition.

2. A school may not assemble athletes or prospective athletes in physical education classes or some other manner for purposes of teaching fundamentals, techniques plays, etc., except during the designated school season of a sport.

3. A school may not organize conditioning programs limited to students with athletic team status or to prospective athletes except during the designated school season of a sport.

4. A school may not conduct intramural programs which involve athletes with past status on a school team (varsity, junior varsity, sophomore, freshman, junior high, grades 7-8, etc.) except during the established school season of a sport.

5. A school may not issue any school uniform or other apparel for use by athletes outside the designated school season of a sport.

6. A school may not become involved financially, through transportation or in any other way, in a student's nonschool participation.

7. These rules do not prevent a school's facilities from being made available for summertime programs provided such programs are not limited to students on the basis of school affiliation, athletic experience, team status, etc. There are limitations, however, on coaches as described in Article XXVI—Nonschool Participation, Part B.

Article XII—Contest Limitations

A. A school shall not participate in:

1. Contests with public schools in Wisconsin not affiliated with this association or under suspension from association membership.

Note: Junior high (grades 7-9) affiliates of this association shall be exempt from this requirement.

2. Postseason contests (other than association tournament games).

3. Contests on Sunday except in situations of extreme emergency involving completion of a WIAA state meet (final level of tournament program only) as determined by the Board of Control.

4. Contests held in conjunction with professional, semiprofessional, university, college and other nonschool games, meets or programs.

Note: A school may participate in a high school game or meet sponsored in part or entirely by other than a high school provided (a) the meet director is a high school district administrator, principal or athletic director, (b) invitations to participate have been issued by a high school district administrator, principal, or athletic director, and (c) profits derived from such competition are earmarked in their entirety for the participating schools or some other nonprofit purpose. Involvement of business, commerce, industry, etc., in sponsorship of school events is not prohibited except to those concerns related to alcohol and tobacco products.

5. Contests conducted by a nonschool person, group or organization, including school club teams, YMCA, American Legion, etc.
   Note: Such contests may be scheduled only if an administrator of the school with the WIAA sanctioned team is present and has determined all WIAA regulations are being followed.

6. Contests, including scrimmages or similar workouts, involving professional, semiprofessional or similar post-high school age teams (except alumni teams), and teams representing institutions of higher education (universities, colleges, technical schools, etc.)

Note: An alumni game, meet, scrimmage, workout, etc., counts toward season maximums.

7. Out-of-state contests except as provided hereafter:

   a. State Association approval is required

      (1) if at least one other adjacent state and a total of at least four schools are involved.

      (2) anytime at least two other adjacent states are involved regardless of number of schools.

      (3) For competition involving a round trip of 600 miles or more by a member school.

      (4) for competition involving a Canadian school and a round trip of more than 600 miles.

b. National Federation approval is required

(1) if at least one other nonadjacent state and a total of at least four schools are involved.

(2) anytime at least two other states, one of which is nonadjacent, is involved regardless of number of schools.

(3) for competition with a foreign country unless involving a trip of not more than 600 miles with a Canadian school.

c. No approval required

(1) if only one adjacent state and a total of no more than three schools are involved.

(2) if only one other school and a round trip of not more than 600 miles by a member school is involved.

Note: Requests for State Association or National Federation approval must be made by host school on forms available in State Association office. National Federation approval must be completed 30 days prior to date competition. There is no specified deadline for State Association approval.

B. In the event that scheduled classes are interrupted or terminated, interscholastic athletic practice and competition may continue as determined by the administration only if a duly authorized and qualified coach is in attendance, directly supervising and conducting the activity.

1. If practices have been terminated for a period of at least seven days, but less than 14 days, a school may not resume competition until after three separate days of practice.

2. If practices have been terminated for a period of 14 days or more, a school may not resume competition until after five separate days of practice.

3. The requirement of minimum practice days as described in one and two above shall apply for any interruption or termination of classes, including Christmas, New Year, and spring vacations.

4. Days as used in this section shall be interpreted as calendar days.

Article XIII—All-Star Prohibition

A school, including its administrators (district administrator and principal), athletic director and coaches, shall not become involved directly or indirectly with the coaching, management, direction and promotion of any kind of all-star game or similar contest involving students with remaining high school (WIAA) eligibility in any sport if such all-star games or similar contests are held during the established school year.

Article XIV—Master Eligibility List

A school shall have in its files prior to its first competition each school year eligibility certification of each participating student. This form shall indicate the date and place of birth, year and semester in school, and date of last physical (medical) examination along with the signature of the district administrator or principal verifying that students are eligible by all association rules. This form shall be made available upon request by either the association office or an opposing school. It is recommended that a list of eligible students be exchanged between opposing schools.

Article XV—School Contracts

A school shall (a) draw up a contract, signed by designated official representatives of the parties concerned, for all interscholastic competition, and (b) adhere to the stipulation of such contracts.

1. No school contracts are required for participation in association sponsored tournaments.

2. A conference by action recorded in its minutes may consider an adopted schedule as a qualified and binding contract.

3. A contract may be canceled only by mutual consent in writing of the designated official representatives of the parties concerned.

4. A forfeiture fee should be stipulated in all contracts but payment of the fee shall not necessarily relieve a school from the possibility of disciplinary action.

Article XVI—Protests

A. A school administrator shall have the right to protest to the association office a violation on the part of another member school, and it is the duty and responsibility of a school and conference to report to the association office information or evidence pertaining to violation of association rules.

B. The right of a school administrator to protest shall include decisions of game officials related to errors in interpretation and application of game rules, but protests (a) must be called to the attention of the association office no later than the following day (not including Saturday, Sunday or holidays), (b) cannot be honored if they involve judgment situations, (c) cannot supersede or bypass procedures for questioning outlined in the official rule book of a sport, and (d) will not be allowed in tournament competition as pertaining to decisions of game officials.

Article XVII—Coaches Qualifications

Only persons certified to teach in Wisconsin shall be assigned as coaches (including assistants, helpers, aides, etc.) of teams representing a school in interscholastic competition.

1. This rule is applicable to all levels of competition—varsity, junior varsity, sophomore, freshman and junior high (grades 7-9), and it is applicable to practice sessions as well as actual competition.

2. Emergency Provision

   a. A school may receive emergency relief for unusual circumstances to employ other than a certified teacher for coaching but emergency permission shall not extend beyond one season in the sport involved.

   b. If a certified teacher is unavailable for coaching assignment, an emergency status will be recognized by the WIAA. The Request for Permission to Use Noncertified Coach application will be considered but not until after May 1 for fall sports or September 1 for winter and spring sports.

3. The head coach (or a person designated by the school as a replacement in the event of an emergency approved by the association office) shall be required to attend a rules interpretation meeting if such meetings are offered in a sport.

Article XVIII—Officials Qualifications

A. A school shall use only persons registered with the association for purposes of officiating interscholastic contests—varsity, junior varsity, sophomore, freshman and junior high (grades 7-9).

Note: The section on sports regulations outlines the specific requirements for officials in each sport.

B. Contracts engaging services of officials (available in association office) must be executed by an officially designated representative of the school for all interscholastic competition.

Note: A school which uses other than contracts provided by the association office must indicate in its contract form that disciplinary action may be taken against official or school or both in cases of violation.

Article XIX—Game Control

A. All schools shall be responsible before, during, and after a game or meet for the proper conduct of their coaches, athletes, students, and other spectators, and when requested, a school shall complete a report regarding a game or meet in which problems occurred.

B. The referee or other game official may warn and, if necessary thereafter, order forfeiture by the offending team or school if the conduct and control of any party concerned, including spectators, interrupts or adversely affects the normal procedure and progress of a contest.

Article XX—Awards

A school shall not in recognition of school achievement (a) present to its students, or (b) permit presentation by others to its students any award other than of a type falling under the category of badges, certificates, cups, trophies, medals, banners, ribbons, pictures, unattached emblems, and letters.

1. A limitation of $10 is placed on the retail value of any permissible award if presented by anyone other than the school, and the person or organization presenting the award may do so only with the approval of the school.

2. A banquet for a school team (or seniors, lettermen, etc.)

3. Group entertainment sponsored by anyone other than the school is permissible only if such entertainment is limited to transportation, admission to an event, and necessary food and lodging, and it must be approved by the school.

4. Any award presented or permitted by the school must be symbolic (nonmerchandise) in nature. Included in the list of awards which do NOT qualify are such items as jackets, watches, rings, billfolds, etc., regardless of the monetary value of the item.

Appendix J

WIAA Rules of Eligibility

Article XXI - Responsibility

A. The responsibility of educating and guiding student athletes in the rules of eligibility governing member schools of this association shall rest with the administration of each school.

1. The administration of the school shall be responsible for the eligibility of its students, including the determination of credits in transfer cases, and it shall be the responsibility of one member school to call to the attention of another member school possible violations of association rules.

2. The penalty for using a student who is ineligible either during the regular season or in WIAA tournament activity is as follows:

   a. Team Sports (Baseball, basketball, football, hockey, soccer, softball, and volleyball)

      The school must

      (1) forfeit all contests involved.

      (2) adjust its place in conference standings and relinquish its place in tournament standings.

      (3) return team and individual awards.

   b. Individual Sports (Cross country, golf, gymnastics, swimming, tennis, track and field, and wrestling)

      The school must

      (1) eliminate all matches, places, points, scores, etc. of involved student as an individual, and eliminate all contributions made by involved student toward team score.

      (2) reduce team points (score) and adjust conference standings and tournament places.

      (3) return awards of individual(s) and, if appropriate, after adjusting standings, team awards.

   c. Tournaments (including WIAA tournaments)—Team or student most recently defeated upon discovery of violation replaces offending team or student for remainder of tournament series.

3. No team (or student) shall represent his or her school at any time in connection with interscholastic competition unless accompanied by a coach or another appointed member of the school faculty.

   a. It is recommended that a female member of the faculty accompany any girls team coached by a male and that a male member of the faculty accompany any boys team coached by a female.

   b. A game shall be forfeited or a team disqualified from further participation in a meet if, after a game or meet official has ejected a coach for any reason, there is no other coach or faculty member of that school present to supervise the team.

4. If a student who has been declared ineligible is permitted to participate in interscholastic competition because of a court restraining order or injunction against the school or WIAA and if such restraining order or injunction subsequently is voluntarily vacated, stayed, reversed, or finally determined by the courts not to justify injunctive relief, one or more of the penalties outlined in A-2-a and b above may be taken in the interest of restitution and fairness to other member schools.

5. A school may use on its interscholastic teams only students enrolled in grades affiliated with WIAA membership.

   a. A school which enrolls only on a grade 10-12 basis may not use grade 9 students on any of its senior high teams.

   b. A school which does not affiliate with the WIAA on a grade 7-8 basis may not allow such students to be members of a junior high team involving grade 9 students.

6. No interscholastic competition will be permitted in which students in grades 10, 11, and 12 compete with or against students in grade 8 and below.

B. The rules of student eligibility shall not be interpreted to prevent any member school or any conference from establishing more stringent regulations but no school or conference may set up standards for interscholastic competition for any of its official teams, varsity or otherwise, which are less stringent than the minimums herein presented.

Article XXII—Residence and Transfer

A student, whether an adult or not, is eligible for interscholastic competition only at the school in the district in which his or her parents are legal (physical) residents.

1. This provision may be waived if requested by a member school on behalf of one of its students and upon presentation of documented reasons of betterment in home life or other extenuating circumstances. Such documentation must include communications from (a) parents, (b) person(s) with whom student is living in school district, and (c) school officials in district where parents reside. Depending upon the nature of extenuating circumstances, eligibility may be limited to nonvarsity competition.

2. After a student has been ineligible for one calendar year because parents are not residents of school district, he or she becomes automatically eligible under this section regardless of parents' residence and for as long as enrollment is continuous (uninterrupted) in that school.

3. The legal residency of a student's guardians shall determine eligibility in cases where both parents of a student are deceased. The execution of guardianship papers in situations where one or both parents are living does not by itself make a student eligible.

4. The legal residency of the parent with custody shall determine eligibility in situations involving divorce or separation of parents. In situations involving joint custody, the student shall be eligible at only one school unless approval to transfer is requested and received on the basis of extenuating circumstances.

5. The board of education (school district) shall determine school assignment of a student in a district which maintains (a) more than one school of the same grades or (b) a special school so designated by the board of education (school district).

6. A student whose tuition is paid by the district in which parents reside or by the state and who is enrolled in a district approved program may be eligible at either school (first priority to district of residency) but (a) may not participate at both schools in the same year, and (b) academic ineligibility accompanies student upon transfer. The Board of Control may waive the requirements of this section, upon request, for documented reasons of extenuating circumstances.

7. A student whose tuition is paid by the district in which parents reside or by the state or who is participating in a legislated open enrollment option (a) must enroll in the program by the third Friday in September, and (b) will be ineligible for the balance of the school year upon transfer at any time after the third Friday in September to any other school, including a school in the district of residency of parents. The Board of Control may waive the requirements of this section, upon request, for documented reasons of extenuating circumstances.

8. The residency requirement may be waived for one year, upon request, for students involved in foreign exchange programs or other types of programs involving aliens but eligibility will be limited to nonvarsity competition if students will not be in attendance at least one complete semester from start to finish.

9. A student may continue being eligible in the same district even though parent(s) and student move out of the district provided enrollment is continuous (unbroken in that school).

10. A student who transfers with a status of ineligibility for disciplinary reasons retains such status at his or her new school for the same period as decreed by the former school.

11. A student is eligible only upon his or her first transfer from a non-WIAA school (parochial or private) unless there is a change in residency on the part of the parents.

12. Unless transfer through residence is effective at the outset of a semester, a student cannot establish eligibility at his or her new school until the fifth calendar day of such transfer.

13. A student who transfers is ineligible to participate in his or her school's summer program unless such transfer involves change of residence and includes registration and certification.

14. A student who has been in attendance in a school for at least one complete school year prior to reaching grade 9 and has not broken enrollment during that time is eligible upon entering grade 9.

15. No eligibility will be granted for a student whose residence in a district, with or without parents, or whose attendance at a school has been the result of undue influence (special consideration due to athletic ability or potential) on the part of any person, whether or not connected with the school.

16. A student may not have eligibility in more than one school district at the same time. A parent or parents who move from a primary residence in one district to a secondary residence in another district may be required by the Board of Control to provide evidence of a total move.

17. Special state and county supported schools are not bound by the residency requirements.

18. Students placed in foster homes, group homes, etc. by area social services agencies are considered the same as students residing with parents.

Article XXIII—Age

A. A student shall be ineligible for interscholastic competition if he or she reaches his or her 19th birthday before August 1 of any given school year.

The Board of Control will listen to an appeal in person from a school administrator relating to the age rule. The student involved in the appeal must be present at the hearing which must take place at a regular meeting of the board.

B. A student shall be ineligible for interscholastic competition as a member of a team consisting of grade 7 and 8 students if he or she reaches his or her 16th birthday before August 1 of any given school year.

Note: A birth or baptismal record or a court verdict will establish the age of a student.

Article XXIV—Amateur Status

A. A student shall be an amateur in all recognized sports of this association in order to compete in any sport, and he or she shall become ineligible for all further participation in the school's interscholastic program if he or she:

1. Accepts reimbursement in any form—(a) salary, (b) cash, (c) merchandise of any kind or amount, or (d) share of game or season proceeds—for achievement in athletics.

   a. Actual and necessary reimbursement for transportation, food and lodging paid in connection with playing a contest shall not be regarded as a violation.

   b. A student may receive an award which is symbolic (nonmerchandise) in nature such as trophies, medals, ribbons, etc. but may not receive such merchandise items as jackets, sweaters, equipment, balls, watches, rings, billfolds, etc. regardless of their value.

   c. A school may allow a student to retain items of practice and playing uniforms which, for reasons of hygiene, obsolescence, deterioration, etc. will not be passed on to another student.

2. Signs a contract or agreement for services as a participating athlete.

   a. A student may be employed (but not self-employed) on a part-time basis as an instructor on the playgrounds, game official, lifeguard, etc.

   b. This rule shall not prevent a student from signing (a) an agreement which binds him or her to play only for a particular team, or (b) an athletic tender with a university or college

3. Permits, with or without actual endorsement, the use of name, picture or personal appearance as an athlete in the promotion of a commercial or profitmaking event, item, plan, or service.

   Note: This rule shall not prevent a student from being included with others in publication even in advertising form of a team picture as part of a congratulatory or welcoming purpose.

4. Plays in any contest (school or nonschool) under a name other than his or her own name.

B. A student who has violated amateur standing may apply through the school for reinstatement not earlier than six months following the date of ineligibility provided he or she has been enrolled in school throughout the year.

Article XXV—Attendance and Scholarship

A. A student is eligible for interscholastic competition at a senior high school if he or she is carried on the attendance rolls (for purposes of state aids) as a grade 9, 10, 11 or 12 student in that member school with the following additional provisions:

   1. A student

      a. Is ineligible after attending eight semesters or 12 trimesters while enrolled in grades 9-12.

The Board of Control will listen to an appeal in person from a school district administrator relating to the eight-semester (12 trimester) limitation.

b. May not participate in a sport in more than four different seasons while in grades 9-12 or three different seasons while in grades 10-12.

c. May not participate in a sport in more than one season each school year with summer considered an extension of the previous school year.

Note: A student who transfers before the end of a season may not exceed in his or her total participation the individual game or meet limitations of that sport. A student may not participate in the tournament series of a sport for two different schools in the same school year. A student who transfers before the end of a season in a sport sponsored in more than one season may participate in both seasons but may not exceed in his or her total participation the individual game or meet limitations of that sport.

d. Must complete eligibility in the four consecutive years starting with grade 9 and the three consecutive years starting with grade 10 unless there are documented extenuating circumstances.

Note: Eligibility which has been extended beyond the four-year (9-12) or three-year (10-12) period cannot be delayed until a semester of the student's or school's own choosing.

2. After a student becomes a senior, he or she must conclude eligibility in one academic year through uninterrupted attendance unless there are documented extenuating circumstances.

3. A semester or trimester of eligibility shall be charged to a student after he or she (a) has been in attendance in that semester or trimester at least 40 days (using date of start of school and date of withdrawal of student), or (b) has participated in an interscholastic contest.

4. A student is ineligible if he or she has not been enrolled in some school by the 17th day of a semester or trimester except upon request of a school in special cases involving sickness, accident, military service, social services assignment, etc.

5. A freshman student who has not completed all work below grade 9 may be eligible only if he or she is doing passing work in a minimum of 20 hours of grade 9 classes in addition to grade 8 make-up courses.

6. A student is ineligible if he or she has graduated from a school offering studies through grade 12 or it equivalent.

7. A student who has graduated in May or June retains eligibility for (a) any portion or a spring athletic schedule not completed by the end of the academic year, and (b) the school's summer athletic schedule.

8. A grade 9 student attending a school of students in grade 9 or under is eligible only at the senior high school which he or she will be attending the following year.

B. A student is eligible for interscholastic competition at a junior high school (grades 7, 8 and 9) or elementary school (grades 7 and/or 8) if he or she is carried on the attendance rolls (for purposes of state aids) as a grade 7, 8 or 9 student in that member school with the following additional provisions:

1. The provisions of Nos. 3 and 4 of Part A of this article shall apply.

2. A student may not participate in a sport in more than two different seasons (and in more than one season per year) while enrolled in grades 7-8, and they must be within consecutive years, except for special cases approved by the Board of Control.

Note: Grade 9 students in a junior high school come under the provision of rules governing senior high students.

3. A student must have completed all required work below grade 7 in order to be eligible for interscholastic competition.

4. A student is ineligible for a grade 7 or 8 team if he or she has completed required studies through grade 8, and he or she is ineligible for a grade 9 team if he or she has completed required studies through grade 9.

C. A student in grades 7-12 not doing passing work in a minimum of 20 hours of work in the latest grade-reporting or academic-evaluation period shall be ineligible until again doing passing work in at least 20 hours of work but not for less than three weeks (15 consecutive scheduled school days and nights).

1. A student must carry and be receiving passing grades in a minimum 20 hours of work at all times.

A senior who has acquired all necessary credits toward graduation is not exempt from this rule.

2. "20 hours of work" shall be interpreted to mean any combination of credits toward graduation adding up to a total of four full credits for a school year (four half credits on a semester basis).

3. A student regains eligibility immediately if incompletes are made up within two weeks after a grade reporting period. A student may erase ineligibility status following the first grade reporting period of the school year through summer school courses (including correspondence courses) at the same or some other school provided the school gives credit toward graduation requirements for such courses and counts them in rank-in-class standings.

Note: This section does not apply to summer baseball participants who are governed under 7-b below.

4. A student who is ineligible for a minimum of 15 days under the provisions of this section may not return to competition until the school day following the 15-day ineligibility period.

5. A student who is enrolled in some courses in a university, college, vocational school or some similar institution

   a. Must be in physical attendance (in his or her school) at least one course each day.

   b. Must be receiving passing grades in at least 20 hours of work.

   c. Must receive high school credit for a minimum of 20 hours of work or have a notation made on his or her high school transcript that he or she successfully carried a minimum of 20 hours of work between the two schools involved.

      Note: A student who has been assigned to a technical college by the school district is exempt from the provision requiring physical attendance at least one course each day provided such a student continues being carried on the attendance rolls for purposes of state aids.

6. A student who is enrolled in any state-approved EEN program and who receives no usual grades for such courses may be eligible if he or she is making satisfactory progress in his or her total school program as indicated by his or her IEP.

7. The ineligibility status described in the introduction to this section (C) will be adjusted as follows for students in fall sports which begin interscholastic competition before the first day students are in class and for students in summer baseball.

   a. Fall Sports—Provided the student is doing passing work in a minimum of 20 hours of classes, the ineligibility period shall be a minimum of three weeks (21 consecutive calendar days) except that it shall not extend over more than three games (one game per week) in football.

   b. Summer Baseball—The ineligibility period shall be a minimum of three weeks (21 consecutive calendar days) as of the end of the second semester.

8. A school because of computer printout of grades being delayed may use a pre-arranged date other than the last day of a grade-reporting period to determine eligibility provided (a) all other provisions of this section (C) are followed and (b) the procedure developed is the same for all students, all grade-reporting periods, and all sports.

Article XXVI—Nonschool Participation

A. It is the philosophy of this association that a student owes loyalty and allegiance to the school and to the team of which he or she is a member. A student becomes ineligible in a sport for the remainder of the season for competing in nonschool activity in the same sport during the season of practice and competition established by the school. The penalty may be reduced upon request of a school on the basis of documented extenuating circumstances.

1. Nonschool activity shall be interpreted to include (a) all activity outside the control of the school and (b) any activity of a school (other than official interscholastic program) involving another school or a nonschool organization.

2. A student who was a member of a school team in a given sport during the previous year may not delay reporting for the school team beyond the school's official opening day of practice in order to continue nonschool competition except in the fall-sponsored sports of tennis, golf, and swimming provided the delay does not extend beyond the first interscholastic meet.

3. A student who is cut from the squad during the regular season (not including WIAA tournaments) for reasons of skill is exempt from this if there is an opportunity to rejoin the team later in the same regular season. A student suspended from the team for the remainder of the season for reasons of discipline or academic problems is exempt from this rule. A student suspended from the team for a portion of the season is not exempt from this rule.

4. This rule (prohibiting students from competing in nonschool programs during the school season in the same sport) may be waived on behalf of a gifted athlete provided:

   a. The competition has international ramifications, that there are countries outside the United States (50 states) involved.

   b. The school requests an exemption on the basis that such participation will not impair the student's loyalty and allegiance to school and team.

   c. The athlete:

      (1) Achieved one of the first five places (in an individual sport) in the previous WIAA state meet, or

      (2) Was prevented by illness, injury, or unusual circumstances from achieving one of the first five places in the previous WIAA state meet and it is documented that he or she might have made such an achievement, or

      (3) Defeated in subsequent competition a person who achieved one of the first five places in the previous WIAA state meet, or

      (4) Qualified for international competition in a National Federation recognized event such as the Olympics, Pan-American Games, Davis Cup,

Walker Cup, etc., including dual and invitational meets with countries outside the United State (50 states).

B. It is the philosophy of this association that while athletes should not be unreasonably restricted except during the actual school season of a sport, no activity in which they are engaged should resemble in any way a school team practicing or competing out-of-season.

A student becomes ineligible in a sport for a maximum of one year from date of last offense for participation during other than the same sport's designated school season in any program which appears to be practice or competition out-of-season.

1. An acceptable program or activity is one which is not limited to students on the basis of a school affiliation, athletic experience, team status, etc.

2. It is not permissible for a student to wear a school uniform or other team apparel other than during the designated school season of a sport.

3. It is not permissible for any person except the student or parents to pay the cost or fee of any kind of nonschool activity involving specialized training or similar instruction.

4. The person who will be coaching a student in the following school season shall not be permitted to coach that student other than during the designated school season for that sport except that:

   a. Baseball, cross country, golf, gymnastics, softball, swimming, tennis, and track and field are exempt from this requirement during the summer period provided the program is not limited to students as described in B-1 of this article.

   b. This provision shall not prevent a coach from having supervisory responsibilities outside the designated season of a sport. Supervisory involvement, however, does not include such situations as playing basketball with athletes, working-out (such as wrestling activity), club team coaching (such as swimming—except in summer), conducting drills,running through plays, demonstrating techniques, or any other activity which could be regarded as coaching or instructing.

5. A student must discontinue summertime participation in nonschool programs prior to the first day of the school's official opening day of practice in the same sport.

Note: See exception in A-2 of this section.

C. It is the philosophy of this association that all-star games and similar activity do not serve the best interests of high school students because of over-emphasis, exploitation, selection procedure, and other factors.

A student becomes ineligible in a sport for a maximum of one year from date of last offense for participating in an all-star game or similar activity.

1. An all-star team consists of players chosen on the basis of individual accomplishment or reputation from two or more existing teams; an all-star game is one played between two teams, either of which consists of selected players of two or more existing teams. Note: In the individual sports, participation by invitation and with no team affiliation would be exempt from this rule.

2. Activities within the confines of each member school do not come under the limitations of the all-star rule.

3. Activities during the summertime within the confines of an established league, such as an interdivisional contest or a team picked to represent a given league in additional competition, are exempt from this rule.

4. A senior who violates this rule forfeits all remaining high school eligibility except summer baseball players after the spring baseball tournament series are exempt from all provisions of this article as it pertains to the official coaches' all-star competition provided such all-star competition lasts no more than two consecutive calendar days.

5. International competition or cultural exchange programs which are in conflict with this rule may be approved by the Board of Control.

D. Students may be ruled ineligible to participate in, or for participation in, any event or activity conducted by other than a school which may be regarded as contrary to the best interest of the participants or detrimental to the school athletic program."

Note: Under this provision, the Board of Control has made the following rule: Effective with the start of the 1987-88 school year, students with previous status as a member of a school team (Grades 9-12) in basketball, hockey, and wrestling will be declared ineligible for a maximum of the entire subsequent season for participation in competition or other similar programs (tournaments, leagues, and similar competitive programs) in basketball, hockey, and wrestling during that part of the school year preceding the school reasons of these sports.

Article XXVII—General

A. A student may not practice for or participate in interscholastic athletics until the school has written evidence on file in its office attesting to (a) parental permission each school year and (b) current physical fitness as determined by a licensed physician no less than every other school year. (See box on following page.)

Note: It is recommended that a student also have dental fitness attested by a licensed dentist.

B. A school shall have a code of conduct for its athletes, and it is strongly recommended that the code (a) designate the period of time involved in a suspension in advance of the school year and (b) be developed with the involvement of students, coaches and administration and adopted by the Board of Education.

1. A student is required to follow the school's code of conduct on a year-round (12 month) basis.

2. In-season violations of the school code shall result in suspension of the student from interscholastic competition for no less than one entire game or meet for acts (a) involving use of alcohol, (b) use, including chewing, of tobacco, and (c) use, possession, buying, or selling of controlled substances.

Note: If a student denies violating code of conduct, the school should provide an opportunity for the student to be heard prior to the next interscholastic competition.

3. The school district shall determine minimum penalties for violation of any other provisions of its code of conduct, including (a) all out-of-season offenses and (b) any other unacceptable conduct contrary to the ideals, principles,and standards of the school and this association.

4. The minimum penalty for acts outlined in Nos. 2 and 3(b) above which occur after a school begins WIAA tournament competition is immediate disqualification of the student for the remainder of the total tournament series in that sport.

The WIAA Medical Advisory Committee (consisting of physicians, which is a subcommittee of the State Medical Society's Division on School Health, assists the Wisconsin Interscholastic Athletic Association in implementing and interpreting the rule requiring "current physical fitness as determined by a licensed physician."

These procedures apply:

a. If a physician indicates a student is not physically fit (except in situation covered in part b below), that student is ineligible. Such a student cannot be eligible unless and until a physician attests to physical fitness.

b. If a physician indicates a student interested in a contact sport (football, basketball, wrestling, hockey, soccer, and baseball) is not physically fit because of absence or impairment of one of a paired organ (eye, ear, kidney, testicle, or lung), that student is eligible only if (1) parents sign statement (to be attached by school to Examination-Permit Card) indicating they (parents) understand seriousness of situation but want their son/daughter to participate in contact sports and (2) physician thereafter certifies student's physical fitness. Such a student also has an option to become eligible through examination by another physician.

Appendix K

WIAA Due Process Procedure

A. Aggrieved Parties May Appeal Decision

If an administrator or board of education of a member school, a student or parent/guardian, or a game official is dissatisfied with a decision or with a ruling or interpretation of the executive director relative to the provisions of the constitution, bylaws, rules of eligibility, or guide for officials, and such administrator, board of education, student or parent/guardian, or game official is an aggrieved and affected party, such party may,within 15 days of receipt of the decision, submit to the WIAA, in writing by certified mail, return receipt requested, a notice of appeal of the decision and a request for a formal hearing before the Board of Control.

Any aggrieved parties appealing a decision or a ruling or interpretation of the executive director relative to the provisions of the constitution, bylaws, rules of eligibility, or guide for officials must cite the provision of the constitution. The bylaws, the rules of eligibility, or guide for officials allegedly violated and must state the waiver sought or the relief desired.

B. Investigation

The executive director or his or her staff, or such representative of the association designated by the Board of Control, shall investigate all matters upon which the appeal is based. Investigations shall be performed so as to bring the matter to a hearing, unless for cause otherwise shown, no later than the next regularly scheduled meeting of the board within 60 days of filing of notice for an appeal unless cause for delay is shown.

C. Notice

After completion of the investigation, the executive director shall notify the appealing party, by certified mail, return receipt requested, of the time and place set for a hearing on the appeal. The notice shall be given at least seven days in advance of the time set for the hearing. The hearing shall be conducted in conjunction with a regularly scheduled meeting of the board, or the matter may be heard at a special meeting of the board provided the appealing party agrees to pay all the costs occasioned by such special meeting.

D. Attendance at the Hearing

Member school administrators, boards of education, students or parents/guardian, or game officials who are appealing parties are entitled to attend hearings. In the instance of a student submitting the appeal, such student may be represented by the member school attended. Any person entitled to be in attendance at such hearing may represent themselves. Such persons are also entitled to be represented by counsel provided they notify all other parties involved in the appeal of the name, address, and telephone number of such counsel at least three days in advance of the hearing.

E. Board of Control to Hear Appeals

The Board of Control of the association shall hear and decide all appeals brought under the provisions of these rules. The president of the Board of Control may appoint a hearing officer to preside over the hearing or he or she may act as the hearing officer. The hearing officer may, at the beginning of the hearing, ask for statements clarifying the issues involved or upon which factual matters the appealing party will stipulate and agree to. The executive director shall make available a copy of his or her investigation no later than five days before the hearing. The appealing party shall present its defense and proofs. The parties may offer such evidence, including the testimony of witnesses, as they desire and which is relative to the proceedings. Each party shall have the right to cross examine witnesses of the adverse party. All parties shall be afforded the opportunity to examine all documents introduced.

F. Closing of Hearing

The hearing officer shall specifically inquire of all parties whether they have further evidence. Upon receiving negative replies, the hearing officer shall declare the hearing closed.

G. Hearing in Absence of a Member

The hearing may proceed in the absence of any party who, after it is shown has received due notice thereof, fails to be present or fails to request an adjournment. A majority of the members shall constitute a quorum for any meeting. Adjournments may be considered by the hearing officer upon the request of a party or upon the initiative of the hearing officer. However, a decision shall not be made solely upon the default of a party, but shall be based upon the evidence in the matter before the board.

H. Decision of the Board

The decision of the Board of Control shall be made by a majority of the voting members at the hearing no later than the next regularly scheduled meeting following the hearing. The decision shall be in writing, signed by the Board of Control President, and shall state the conclusions of the board. It shall be mailed to the appealing party by certified mail, return receipt requested. All decisions of the board shall be final and nonappealable except as provided by these rules.

Appendix L

1989-90 Audiovisual Aids Request Form

The WIAA has some AV materials for use by member school's athletic departments. These materials are expensive to purchase and to maintain. Therefore, their use must be limited to the athletic departments of WIAA member schools. We will accept orders from **WIAA member school athletic directors** only. We ask you, as athletic directors, to monitor the use of these AV materials and see they are returned on schedule. Your cooperation will make our limited number of materials available to other WIAA schools.

Note: All AV materials must be returned immediately upon UPS pickup. Your school is only one of many who have scheduled the use of these materials from our library. The approximate running time is given in parenthesis after most listings.

School	City

Athletic Director's Signature

You will be billed a service fee of $5 per item at a later date. Please indicate the dates which you would prefer.

Date	Films	Date	Films
	Baseball		**Soccer**
_____	Umpire Mechanics—1981 (17)	_____	Key Goals to Winning Soccer—1979 (17)
_____	Baseball the Right Way—1983 (17)	_____	Soccer the Right Way—1987 (14)
	Basketball		**Swimming**
_____	Time Out for Basketball—1983 (23)	_____	Swimming and Diving Today—1974 (17)
_____	Basketball the Right Way—1986 (28)		
	Football		**Track & Field**
_____	Football Now—Contact by the Rules—1985 (28)	_____	The Challenge of Track & Field—1977 (28)
			Volleyball
_____	Football Safety—1975 (18)	_____	Volleyball the Right Way—1987 (17)

The following VHS video tapes are available. You may copy tapes the WIAA had produced without violating any copyright laws, however, tapes produced by the National Federation cannot be copied.

Date	Films	Date	Films
	Baseball		**Track**
_____	*Baseball at its Best—1985 (19)	_____	Triple Jump—1983 (6.28)
_____	*Baseball the Right Way—1986 (17)	_____	Keys to Success—1986 (20)
_____	Pitching by the Rules—1980 (20)	_____	*Proper & Safe Conduct of Field Events—1987 (20)
_____	*Base Running (Baseball & Softball–1985 (12)	_____	*Vaulting Higher and Safer—1995 (2)
	Football		**Wrestling**
_____	Four-Man Officiating Mechanics (28)	_____	*Nutrition and Weight Control—1985 (13)
			Volleyball
_____	A Report on Serious Football Injuries–1985 (19)	_____	*Match Point—1986 (2)
	Softball		**Miscellaneous**
_____	Fast Pitching Rules—1984	_____	*Coaching Techniques & Psychology of Coaching—1986 (37)
_____	*Softball Substitution, DH and Charged Conference—1985 (12)	_____	*Legal Considerations in Sports & Coaching Guidelines—1986 (46)
_____	*You be the Judge—1987 (31)	_____	*Say No to Drugs—1987 (18)

*Tapes produced by the National Federation

Audiovisual Materials Available From DPI

The following materials may be borrowed free of charge from the Bureau for Equal Educational Opportunity. Please call (608) 267-9156 to reserve. Those who borrow will be required to pay return postage.

Cat: A Woman Who Fought Back, (1978), 16 mm film, color, sound, 25 minutes. Films Incorporated, Wilmette, Illinois. Champion Films Production. Documentary film of Kath Davis, who was the first woman to receive a professional boxing license from the State of New York in May 1978. Provides an excellent "personal-look" at a woman athlete, her feelings, reality of training and struggle with the legal system to be able to meet her professional goals. Shows various excerpts from male boxers, a boxing commissioner, showing behaviors which reflect bias, stereotyping, and discrimination. Excellent resource for group discussion concerning sex bias, sex role stereotyping, and sexual discrimination. Suitable for viewing for students, teachers, and other adult groups concerned with issues of sex equity.

An Equal Chance Through Title IX, 22 minutes, color, 16 mm film, American Association of Health, Physical Education, and Recreation Level: High School, College, Adult. Fast-moving and happy, **An Equal Chance Through Title IX** helps school and communities understand and implement this equal opportunity law. White it emphasizes physical education and sports programs, the film is relevant for education programs that come under Title IX.

Freestyle, 3/4 inch videocassette. Teachers who have seen the **Freestyle** videotape shows consider it excellent. They show exciting believable situations where children of all ethnic groups encounter life challenges and make decisions accordingly. The series is for the 9- to 12-year old age group.

Flag (topic: nontraditional skills and interests). This is part of the Freestyle videotape series. Denise is invited to join the neighborhood flag football team. However, since she is the only girl on the team, some of the parents pressure the coach to take her off—just before a championship game. Denise is hurt, but her determination to stay with the team causes the coach to reinstate her.

Project Missing Link: A Focus On Instruction, VHS videocassette, 38 minutes, color. Although the focus is on coed physical education classes, the video is applicable to coed coaching situations. Basic to the assurance of equity within the instructional process are three essential components: 1) knowledge of possible sex-stereotyping behavior, 2) awareness of the occurrence of sex-stereotyping behavior in the class situation, and 3) insight into appropriate actions to facilitate sex-equitable teacher behavior. These ideas are the threads which tie this entire program together. This program addresses the "Missing Link. . . A Focus on the Instructional Process."

Athletics and Physical Education, 30 minutes, color, 3/4 inch videocassette. This videotape focuses on schools that have developed successful coeducational sports programs that provide increased opportunities for all students to gain a greater appreciation of themselves and their bodies. Includes teacher's guide.

Appendix N

Resources

Technical Assistance. When seeking clarification of the pupil nondiscrimination statute and rule, ideas for implementation, provision of training, print, and audiovisual resources, or other assistance unrelated to an appeal which has been officially filed with the state superintendent, contact the following:

Wisconsin Department of Public Instruction
P.O. Box 7841
Madison, WI 53707-7841

Ken Wagner
Physical Education and Athletics
(608) 266-3615

Melissa Keyes, Consultant
Sex Equity
(608) 267-9157

Wisconsin Interscholastic Athletic Association
41 Park Ridge Drive
P.O. Box 267
Stevens Point, WI 54481
(715) 344-8580

Douglas Chickering, Executive Director
Karen Kuhn, Assistant Director

Section 118.13, Wis. Stats

118.13 Pupil discrimination prohibited. (1) No person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in an curricular, extracurricular, pupil services, recreational, or other program or activity because of the person's sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability.

(2) (a) Each school board shall develop written policies and procedures to implement this section and submit them to the state superintendent as a part of its 1986 annual report under s. 120.18. The policies and procedures shall provide for receiving and investigating complaints by residents of the school district regarding possible violations of this section, for making determinations as to whether this section has been violated and for ensuring compliance with this section.

(b) Any person who receives a negative determination under par. (a) may appeal the determination to the state superintendent.

(3) (a) The state superintendent shall:

1. Decide appeals made to him or her under sub. (2)(b). Decisions of the state superintendent under this subdivision are subject to judicial review under ch. 227.

2. Promulgate rules necessary to implement and administer this section.

3. Include in the department's biennial report under s. 15.04(1)(d) information on the status of school district compliance with this section and school district progress toward providing reasonable equality of educational opportunity for all pupils in this state.

(b) The state superintendent may:

1. Periodically review school district programs, activities, and services to determine whether the school boards are complying with this section.

2. Assist school boards to comply with this section by providing information and technical assistance upon request.

(4) Any public school official, employee, or teacher who intentionally engages in conduct which discriminates against a person or causes a person to be denied rights, benefits, or privileges, in violation of sub. (1), may be required to forfeit not more than $1,000.

Section note: Ch. 418 s. 929 (55)(a), Laws of 1977; 1983 Acts 374, 412; 1985 Act 29; 1985 Act 29 s. 3043(1) provides that the state superintendent shall submit the rules required under s. 118.13(3)(a)2 in final form no later than July 1, 1986. Sub. (4) effective July 1, 1989.